

**NATIONAL COMPANY LAW TRIBUNAL  
AMARAVATI BENCH  
(Video Conference)**

**PRESENT: JUSTICE TELAPROLU RAJANI – MEMBER JUDICIAL  
ATTENDANCE-CUM-ORDER SHEET OF THE HEARING HELD ON 17.06.2022 AT 10.30 AM**

TC/CP. Nos.	CA/IA No.	Section/ Rule	Name of Parties
TCP(IB)No.7/9/AMR/2019	IA(IBC)/100/2022	12A of IBC	Sakthi International Private Limited Vs. Amoda Iron and Steel Limited

**Counsel for Petitioner(s):**

Ries

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature

**Counsel for Respondent(s):**

Ries

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature

**ORDER**

IA(IBC)/100/2022 is allowed, vide separate orders.

S.d/-

**JUSTICE TELAPROLU RAJANI  
MEMBER JUDICIAL**

**NATIONAL COMPANY LAW TRIBUNAL  
AMARAVATI BENCH**

**I.A.No.100/2022**

**In**

**TCP (IB) No.07/9/AMR/2019**

**Under Section 12A of the Insolvency and Bankruptcy Code, 2016  
Read with Regulation 30 A of IBBI (Corporate Insolvency  
Resolution Process) Regulations, 2016 and Rule 11 of NCLT  
Rules, 2016**

In the matter of  
**M/s. AMODA IRON AND STEEL LIMITED**

**BETWEEN:**

M/s. Shakti International Private Limited,  
Registered office at 91 Spring Board, 74/II,  
“C” Cross Road, Opp. Gate No.2,  
Speez Andheri East, Mumbai – 400093.

...Operational Creditor

AND

Amoda Iron and Steel Limited,  
Registered Office at Jayanthipuram Village,  
Jaggayyapet Mandal, Jaggayyapet,  
Krishna (NTR) District,  
Andhra Pradesh – 521175.

...Corporate Debtor

**Order dated on: 17.06.2022**

**Coram:**

**Justice Telaprolu Rajani, Member Judicial.**

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S.d/-

Parties/Counsels present:

For the Corporate Debtor: Mr.Maharshi Viswaraj, Advocate.

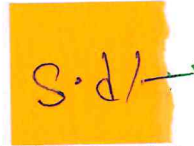
**ORDER**

1. This Application filed under Section 12A of the Insolvency and Bankruptcy Code, 2016 Read with Regulation 30A of IBBI (Corporate Insolvency Resolution Process) Regulations, 2016 and Rule 11 of NCLT Rules, 2016 seeking to withdraw the TCP (IB) No. 07/9/AMR/2019, which is admitted by this Tribunal vide its order dated 27.04.2022.
2. Heard the Counsel for the Applicant. This Application to withdraw the Company Petition as per Section 12A of the Insolvency and Bankruptcy Code, 2016 has to be filed through IRP. But strange circumstances appear to be existing in this particular case. The order passed by this Tribunal is dated 27.04.2022 by virtue of which Mr.Koteswara Rao Gutta was appointed as IRP. But the fact remains that the IRP was not eligible for appointment as he attained age of 70 years by 06.04.2022 and was not eligible to be appointed as IRP. After the order came to be passed, a settlement was entered into within no time, which is on 06.05.2022. Since, there is no IRP in existence at this particular point of time and since the settlement was arrived between the parties, this application had to be moved by both Operational Creditor and Corporate Debtor. Hence, invoking the inherent powers under

S.d/-

Rule 11 of NCLT Rules, 2016 this Tribunal is inclined to allow the Application, since both the parties have jointly filed this Application for withdrawal of CIRP proceedings against the Corporate Debtor.

Accordingly, TCP (IB) No.07/9/AMR/2019 along with I.A.No.100/2022 are disposed of.



**JUSTICE TELAPROLU RAJANI**  
**MEMBER JUDICIAL**

*Sai*