

**NATIONAL COMPANY LAW TRIBUNAL,**  
**MUMBAI BENCH COURT VI**

Item No. 05

C.P. (IB)/ 1125(MB)2023

CORAM

**SHRI SANJIV DUTT**  
**HON'BLE MEMBER (TECHNICAL)**

**SHRI K. R. SAJI KUMAR**  
**HON'BLE MEMBER (JUDICIAL)**

ORDER SHEET OF HEARING (HYBRID) DATED **14.03.2024**

NAME OF THE PARTIES : **Inox Wind Limited**

**Vs**

**Barkat Cranes & Equipments Private**  
**limited**

**For OC** : Adv. Yash Wardhan Tiwari

**For CD** : Adv. Avinash Joshi i/b Mulla & Mulla  
**Section 9 of IBC**

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**ORDER**

- 1.Counsel for OC and CD jointly tendered the Settlement Agreement between the parties and submit that the matter is settled and the C.P. may be allowed to be withdrawn.
- 2.Having considered the Settlement Agreement and heard both the Counsel for OC and CD, the C.P. is allowed to be withdrawn with liberty to the OC to revive the C.P. by filing an affidavit, in the event of failure of any of the conditions as set out in the settlement agreement, more particularly, Paragraphs 1 and 3 as to the payment of the default amount.
- 3.The CD will also have liberty to raise the matter in the event of violation of the terms of the Settlement Agreement. **The main C.P. is disposed of as withdrawn.**

**Sd/-**  
**SANJIV DUTT**  
**MEMBER (TECHNICAL)**

//SMM//

**Sd/-**  
**K. R. SAJI KUMAR**  
**MEMBER (JUDICIAL)**