

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-V**

**Item No.-101**  
IB-246/ND/2021

**IN THE MATTER OF:**

M/s. Natraaj Transport  
V/s  
M/s. TRN Energy Pvt. Ltd.

....Applicant

....Respondent

**SECTION**

U/s 9 IBC

Order delivered on 13.05.2021

**CORAM:**

**SHRI ABNI RANJAN KUMAR SINHA**  
**HON'BLE MEMBER (JUDICIAL)**

**SHRI K.K. VOHRA,**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant : Mr. Devashish Bharuka, Mr. Ravi Bharuka and Mr. Rishab Gard  
For the Respondent :

**ORDER**

In course of hearing, we notice that the claim of the applicant is based on the invoices raised by the applicant but the demand notice was sent in Form 3, whereas as per Rule 5 of Adjudicating Authority Rules, if the claim is based upon the invoice, it is required to be sent in Form 4.

After some arguments, Ld. Counsel appearing for the applicant seeks permission to withdraw the present application with a liberty to file a fresh application after complying the provisions of law.

Considering the submissions, the applicant is permitted to withdraw the present application with a liberty to file a fresh application after complying the provisions of law. Accordingly, the petition is **dismissed as withdrawn with** a liberty to file a fresh application after serving the demand notice in accordance with the provisions of law.

Sd/-

**(K.K. VOHRA)**  
**MEMBER (T)**

Sd/-

**(ABNI RANJAN KUMAR SINHA)**  
**MEMBER (J)**