

**National Company Law Tribunal**

**Allahabad Bench**

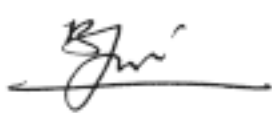
C.P. No.(IB) 108/ALD/2018,

CA No. 283/2018

**ATTENDENCE - CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 16.11.2018**

**NAME OF THE COMPANY: Ashtech Buildpro India Pvt. Ltd. V/s B.S. Techno Construct Pvt Ltd**

**SECTION OF I & B CODE: 9 IBC**

| <u>Sl. NO.</u> | <u>Name</u> | <u>Designation</u> | <u>Representation</u> | <u>Signature</u>                                                                    |
|----------------|-------------|--------------------|-----------------------|-------------------------------------------------------------------------------------|
| 1.             | Babita Jain | PCS                | IRP                   |  |
| 2.             |             |                    |                       |                                                                                     |

**CP NO.(IB)108/ALD/2018, CA NO.283/2018**

Ms. Babita Jain, PCS for the IRP is present.

RP filed CA No.283/2018 U/s 12(A) of I & B Code, 2016 read with regulation 30(A) of Insolvency & Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 seeking permission for withdrawal of CP No.(IB)108/ALD/2018.

CP No.(IB)108/ALD/2018 is filed by M/s Ashtech Buildpro India Pvt. Ltd. as Operational Creditor in respect of M/s B.S. Techno Construct Pvt. Ltd. styling it as Corporate Debtor.

This Authority by its admission order dated 25.0.2018 commenced the CIRP in respect of M/s B.S. Techno Construct Pvt. Ltd. and appointed IRP.

As can be seen from the report of IRP, it appears that IRP constituted the COC that consist of only one ~~financial~~ <sup>operational</sup> creditor.

The material placed on record by the IRP shows that Operational Creditor, represented by Mr. Chanchal Chaudhary, who is authorized by the Operational Creditor in the place Mr. Harshit Kumar, filed Form-FA with the RP stating that he is withdrawing the application in CP No.(IB)108/ALD/2018 against the respondent company.

RP placed Form-FA before the COC and the COC by 100% voting approved the withdrawal of the application filed by the Operational Creditor U/s 9 of the I & B Code and passed the resolution dated 28.09.2018. IRP basing on Form-FA and the resolution passed by the COC, filed this application under regulation 30(A) seeking permission to withdraw the application.

It is stated by the IRP that no expression of interest has been issued so far.

Hence, CA No.283/2018 is disposed of permitting the operational creditor to withdraw CP No.(IB)108/ALD/2018.

CP No.(IB)108/ALD/2018 is disposed of as withdrawn.

**Dated: 16.11.2018**

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**SAROJ RAJWARE,  
MEMBER (T)**

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**BIKKI RAVEENDRA BABU  
MEMBER (J)**

Typed by:  
Kavya Prakash Srivastava  
(Stenographer)