

**IN THE NATIONAL COMPANY LAW TRIBUNAL,
KOLKATA BENCH
KOLKATA**

**C.P. (IB) No. 831/KB/2018
in
IA(I.B.C)No. 1041/KB/2021**

In the matter of:

S.T.P. Limited

... Petitioners

Versus

M.K. Infrastructure Private Limited

... Respondents

CORRIGENDUM ORDER

1. In the Order dated 14.12.2021 disposing of IA (I.B.C) No. 1041/KB/2021 and C.P. (IB) No. 831/KB/2018 the following paragraphs shall be added.

“The petitioning Operational Creditor had deposited sum of Rs. 1 lakh with the Registrar of this Bench, in terms of the directions contained in the order dated 24.01.2020 admitting the petition. The Registrar is hereby directed to return the said sum to the petitioning Operational Creditor under due acknowledgement, within a period of two weeks from today.”

2. The rest of the order shall remain unchanged.

(Balraj Joshi)
Member (Technical)

(Rajasekhar V.K.)
Member (Judicial)

Order dated on 04.01.2022

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**DIVISION BENCH
COURT - I**

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**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/831(KB)2018
IA(I.B.C)/1041(KB)2021

**Present: 1. Hon'ble Member(J), Shri Rajasekhar V.K.
2. Hon'ble Member(T), Shri Balraj Joshi**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 14thDecember, 2021, 10:30 A.M

Name of the Company	S.T.P LIMITED Vs. M.K. INFRASTRUCTURE PRIVATE LIMITED		
Under Section	IBC Under Sec 9		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

Appearances (via video conference)

for the RP

Mr.Anand Prakash,Adv

Mr. Yogesh Mittal (Mr. Jugraj Singh Bedi)

for Corporate Debtor

Mr. Arunabha Som

ORDER

1. Ld. Counsels for the parties present.
2. **IA(I.B.C)/1041(KB)2021**-This is an application filed under section 12A read with regulation 30A of the CIRP Regulation for closing the CIRP initiated against the corporate debtor.
3. The brief facts that the present application *vide* order dated 24.01.2020 in C.P. (IB)/831(KB) 2018 CIRP initiated against the Corporate Debtor on an application filed by S.T.P Limited. An IRP was appointed, who made public announcement to the commencement of the CIRP was made in two newspapers on 07.02.2020, *Financial Express* in English and *Aajkal* in Bengali. In response to the public advertisement no claims were received by the IRP from any corporate except the petitioning operational Creditor. The CoC was duly constituted on that basis.

4. Thereafter the members of the suspended Board of the Corporate Debtor and the petitioning Operational Creditor entered into a settlement agreement dated 22.02.2020, which has been placed at page 23 of the application.
5. Ld. Counsel appearing for the petitioning corporate Debtor submits that all the sums due in terms of the settlement agreement dated 22.02.2020 have been received. The IRP is present in person and he confirms that sum of ₹2.89 lakh towards CIRP costs have been received in full and the receipt in this regard is placed at page 38 of the application.
6. There is no objection from any quarter against the closure of the CIRP.
7. In this circumstances, it is hereby ordered as follows:
 - a. CIRP initiated against the Corporate Debtor *vide* order dated 24/01/2020 is hereby closed;
 - b. The Board of Directors of the Corporate Debtor is restored to its original position;
 - c. The IRP is hereby directed to handover the assets of the Corporate Debtor along with any documents that he may have taken possession of during the CIRP, back to the restored Board of Directors of the Corporate Debtor under due acknowledgement .
 - d. IRP shall be relieved of his duties under the Code and Regulations framed therein.
8. With these directions IA(I.B.C)/1041(KB)2021 is disposed of. Consequently C.P. (IB)/831(KB)2018 shall also stand closed.
9. **File be consigned to the record.**

(Balraj Joshi)
Member (Technical)

(Rajasekhar V.K.)
Member (Judicial)