

**IN THE NATIONAL COMPANY LAW TRIBUNAL
COURT NO. IV, NEW DELHI**

Item No. 1

CA No. 51/2019 (IB)-1184/ND/2018

Under Section: 9 of IBC Code, 2016.

In the matter of:

Dr. Vikram Goyal

.....Applicant

Vs.

Metro Mas Hospital Pvt. Ltd.

.....Respondent

Order delivered on 18.02.2019

CORAM

**DR. DEEPTI MUKESH,
HON'BLE MEMBER (J)**

For the Applicant : Mr. Dhruv Mishra, Adv.

For the Respondent : Mr. Vivek Sinha, Adv.
Mr. Vivek, Adv.

For the IP : Mr. Sanjay Kumar Jha

ORDER

CA No. 51/2019, C-IV is filed by the applicant/Operational Creditor under Regulation 11 of NCLT Rules along with the affidavit and the settlement-cum-compromise agreement duly executed between the parties on 13.2.2019. The IRP Mr. Sanjay Kumar Jha appointed as per the order dated 11.02.2019 is present who states that publication is effected but no claims have been

received and thus no COC is formed. The learned counsel for the applicant and learned counsel for the Corporate Debtor admits the matter being settled and the Corporate Debtor also undertakes to pay the charges and the cost of Interim Resolution Professional is by consent agreed to be Rs. 75,000/-.

In view of the latest judgement delivered by the Hon'ble Supreme Court in Swiss Ribbons Case and the present case being covered under the said judgment. Application is allowed in terms of the prayer 'A'. The settlement agreement is taken on record. IB-1184/ND/2018 is allowed to be withdrawn. As a consequence, the IRP Mr. Sanjay Kumar Jha is discharged from his duties from the date of this order and further the Corporate Debtor M/s. Metro Mass Hospital Private Limited is revived to his status prior to CIRP. Application IB-1187/ND/2018 is disposed of in terms of the above order.

Sd/-

(DR. DEEPTI MUKESH)
MEMBER (JUDICIAL)

Mukesh