

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, COURT-II

4. IA 1729/2022-New Application IN C.P. (IB)/2412(MB)2018

CORAM:

SHRI SHYAM BABU GAUTAM	JUSTICE P. N. DESHMUKH (Retd.)
HON'BLE MEMBER (T)	HON'BLE MEMBER (J)

**ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 28.06.2022**

**NAME OF PARTIES: - Jitendra Kothari Vs. Agfa Healthcare
India Pvt Ltd
IN THE MATTER OF
MIS Healthcare Pvt Ltd
V/s
AGFA Healthcare India Pvt Ltd**

APPEARANCE :

FOR APPLICANT : Adv. Hasnain Kazi a/w Shraddha Vavhal

FOR RESPONDENT : Adv. O.P.Soni Champalal

Adv. Shlok Parekh for IRP

Section: 12A U/s 9 of the Insolvency and Bankruptcy Code, 2016.

ORDER

The Court is convened through Virtual Hearing (VC).

IA-1729/2022 – This IA is filed by the Applicant/RP under section 12-A of the Insolvency and Bankruptcy Code, 2016 read with Regulation 30-A of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 for Withdrawal of the Section 9 Petition filed by the Operational Creditor.

The Counsel appearing for the CoC and Corporate Debtor are

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present and invited our attention towards the Settlement Agreement whereby the Corporate Debtor approached the Operational Creditor and they decided to amicably settle the matter and have agreed on terms for Withdrawal of the Company Petition for a sum of Rs. 45,00,000/- (Rupees Forty-five Lakhs) by way of Demand Draft as full and final settlement including the litigation charges.

Having considered the submissions of the Counsel appearing for the parties and on perusal of the averments made in the Application, this Bench is satisfied that the Withdrawal of the Petition can be allowed. Hence **IA-1749/2022 is allowed and disposed of.** Accordingly **C.P.(IB)/2412/(MB)/2018 stands closed.** File be consigned to records. The Company is out of the rigour of the litigation and RP is discharged.

Sd/-

SHYAM BABU GAUTAM

Member (Technical)

28.06.2022

AARTI

Sd/-

JUSTICE P. N. DESHMUKH

Member (Judicial)