

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

Item No.-8

IB-939/ND/2020

New IA/365/2021

IN THE MATTER OF:

Honest Machinery Pvt Ltd

V/s

VSM Venture Control Systems Pvt Ltd

....Applicant

....Respondent

SECTION

U/s Sec.9 IBC

Order delivered on 28.01.2021

CORAM:

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

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

PRESENT:

For the Applicant

: DEEPAK KUMAR AGGARWAL IRP

For the Respondent

: Sanchit Garga, Advocate

ORDER

By filing this application under Section 12A of the IBC read with Regulation 30A(1)(a) of the Insolvency and Bankruptcy Code, 2016 the IRP Mr. Deepak Kr. Aggarwal prayed for withdrawal of the application Company Petition IB-939/ND/2020.

Heard the IRP, who appeared in person and submitted that in terms of the settlement arrived between the parties, the applicant has submitted Form FA, which is at page 12 of the application. He further submitted that he has received his cost/fee and that is the reason, the bank guarantee has not been enclosed. He further submitted that the CoC has not been constituted as yet, therefore, the matter was not referred before the CoC.

Considering the submissions, we notice, the CoC has not been constituted and the settlement has been arrived before the constitution of the

CoC and we further notice that the IRP has already received his fee/cost, therefore, we hereby allow the applicant to withdraw the main application bearing no. CP IB-939/ND/2020. Accordingly, the main application is **DISMISSED as withdrawn**. With this order the present IA stands disposed off.

Sd/-

(K.K. VOHRA)
MEMBER (T)

Sd/-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)