

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**  
**COURT - IV**

**ITEM No. 2**  
**IA-2364/ND/2021**  
**(IB)-2684(ND)2019**

**IN THE MATTER OF:**

Kunal Agarwal ... Applicant

Vs.

M/s SDS Infratech Pvt. Ltd. ... Respondent

**Order under Section 9 of IBC**

**Order delivered on 31.05.2021**

**Coram:**

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

**MS. SUMITA PURKAYASTHA,**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant : Mr. Bharat Gupta Advocate  
For the Respondent : Mr. Shalabh Singhal, Advocate for management  
For the IRP : Ms. Asiya Khan, Mr. Deepak Kukreja, Advocates

**ORDER**

**IA-2364/ND/2021:**

This is an application filed under Section 12A of the Code, seeking withdrawal of IB-2684/ND/2019. Learned Counsel for the IRP states that the CIRP order was passed on 12.05.2021. The parties had entered into settlement on 10.05.2021. The copy of "MoU" duly executed between the parties on 10.05.2021 is annexed along with the application. Form- 'FA' being consent of the Applicant is also annexed. Learned Counsel states that CoC is not constituted and no claims have been received till date. Mr. Deepak Kukreja, IRP present in person states that he has already filed Form-2 in compliance of the order dated 12.05.2021. The IRP further states that expenses and/or the fees are paid and nothing is due. In view of the above submissions and documents on record, we allow the application. Thereby allow IB-2684/ND/2019 to be withdrawn. The IRP is discharged forthwith. He further admits that no documents, assets or any property of

the Corporate Debtor is received or taken possession of. The management of the Corporate Debtor is reinstated.

The Application is **allowed and disposed of** in terms of above order.

**Sd/-**  
**SUMITA PURKAYASTHA**  
**MEMBER (TECHNICAL)**

**Sd/-**  
**DR. DEEPTI MUKESH**  
**MEMBER (JUDICIAL)**

UPASANA