

NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

(37) IA/2205/MB/2020, IA/1290/MB/2021, IA/1291/MB/2021, IA/1309/MB/2021, IA/1311/MB/2021, IA/1312/MB/2021, IA/1322/MB/2021, IA/1323/MB/2021, IA/1331/MB/2021, IA/1343/MB/2021, IA/1344/MB/2021, IA/1345/MB/2021, IA/1346/MB/2021, IA/1347/MB/2021, IA/1348/MB/2021, IA/1349/MB/2021, IA/1351/MB/2021, IA/1352/MB/2021, IA/1353/MB/2021, IA/1356/MB/2021, IA/1366/MB/2021, IA/1377/MB/2021, IA/1378/MB/2021, IA/1379/MB/2021, IA/1381/MB/2021, IA/1382/MB/2021, IA/1383/MB/2021, IA/1385/MB/2021, IA/1386/MB/2021, IA/1387/MB/2021, IA/1388/MB/2021, IA/1389/MB/2021, IA/1390/MB/2021, IA/1391/MB/2021, IA/1392/MB/2021, IA/1397/MB/2021, IA/1398/MB/2021, IA/1399/MB/2021, IA/1400/MB/2021, IA/1420/MB/2021, IA/1421/MB/2021, IA/1423/MB/2021, IA/1556/MB/2021, IA/1575/MB/2021 & IA/1580/MB/2021
IN CP(IB)/1069/MB/2020

CORAM:

SH. CHANDRA BHAN SINGH,	MS. SUCHITRA KANUPARTHI,
MEMBER (T)	MEMBER (J)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON **23.09.2021**.

NAME OF THE PARTIES: Dinesh Gupta
V/s.
Rolta India Ltd

SECTION : Sec. 12A of Insolvency & Bankruptcy Code, 2016.

ORDER

1. Learned Counsels, Mr. Rajdeep Samudrala is present for the Petitioner and Mr. Shadab S Jan is present for the Respondent.
2. These IAs have been filed by the Objectors by way of an objection to the withdrawal of CIRP against the Corporate Debtor M/s.

Rolta India Ltd. These Objectors are Employees/ ex-Employees whose dues, allegedly have not been paid by the Corporate Debtor.

3. The Bench notes that the main Petition, CP(IB)/1069/MB/2020 filed by the Petitioner Mr. Dinesh Gupta has been allowed to be withdrawn by the Hon'ble Supreme Court vide Order dated 25.08.2021 in ***Civil Appeal No.4993 of 2021 (Arising out of S.L.P.(Civil) No.12386 of 2021)***, extract of which is reproduced below :-

“(4) In the instant case, as notified earlier, the applicant-respondent no.1 had made an application before the NCLT, Mumbai Bench, under Rule 11 of the NCLT Rules for withdrawal of the company petition filed under Section 9 of the Insolvency and Bankruptcy Code, 2016 (IBC) on the ground that the matter has been settled between the Corporate debtor and the applicant-respondent no.1.

(5) Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, we are of the view that the applicant-respondent no.1 was justified in filing the application under Rule 11 of the NCLT Rules for withdrawal of the company petition on the ground that the matter has been settled between the parties.

(6) The appeal is accordingly allowed. The order of the NCLT dated 06.08.2021 is hereby set aside and the company petition, for which withdrawal application was

filed under Rule 11 of the NCLT Rules, is ordered to be withdrawn. No costs.

.....J.
(S. ABDUL NASEER)

.....J.
(KRISHNA MURARI)

NEW DELHI
August 25, 2021”

4. Since the main Petition CP(IB)-1069/MB)/2020 has been allowed to be “withdrawn” by the Hon’ble Supreme Court on 25.08.2021, all these IAs filed by way of objection to the main Petition has become “**infructuous**” and, therefore, is “**Dismissed**” accordingly.

Sd/-
CHANDRA BHAN SINGH
Member (Technical)

Sd/-
SUCHITRA KANUPARTHI
Member (Judicial)

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