

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

Item No.-509

IB-219/ND/2020

New(1) IA/809/2021

(2)IA/748/2021

IN THE MATTER OF:

East India Udyog Ltd

V/s

Calzini Fashions Limited

....Applicant

....Respondent

SECTION

U/s 7 IBC

Order delivered on 16.02.2021

CORAM:

SHRI ABNI RANJAN KUMAR SINHA

HON'BLE MEMBER (JUDICIAL)

SHRI K.K. VOHRA,

HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant :

For the Respondent :

ORDER

IA/809/2021:-

The present application is filed on behalf of the IRP under Section 12A of the IBC, praying therein to permit the IRP to withdraw the application filed under Section 7 of the IBC i.e. IB-219/2020.

Heard the Ld. Counsel for the IRP as well as IRP appeared in person and perused the averments made in the application.

Ld. Counsel for the IRP submitted that the CIRP was initiated against the Corporate Debtor on 28.01.2021 and IRP received a copy of that order on 03.02.2021. He submitted that thereafter, the IRP has received the Form FA on 11.02.2021 and he further submitted that till the submission of Form F.A no claim has been received from any other person.

He further submitted that I.R.P has also received the fee and other expenses incurred by him.

Considering this submissions and on perusal of the averments made in the application as well as documents enclosed along with the application, we notice that the Form FA has been submitted by the

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applicant on whose application the CIRP was initiated against the Corporate Debtor and we further notice that the IRP in para 6 of the application at page 15 made an averment who has received the fee and other expenses. So, considering this facts, we hereby permit the IRP to withdraw the application on behalf of the applicant on whose application the CIRP was initiated against the Corporate Debtor.

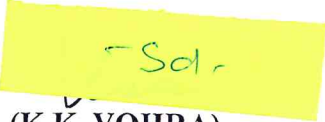
Accordingly, the Company Petition ***(IB-219/2020) stands Dismissed as Withdrawn*** and the ***Corporate Debtor is released from the CIRP.***

With this order, the present application i.e. IA/809/2021 stands Dismissed as Withdrawn.

IA/748/2021:-

In the light of the order passed in IA/809/2021, the present application i.e. IA/748/2021 has becomes infructuous.

Hence ***the present application i.e. IA/748/2021 stands Dismissed as being Infructuous.***


(K.K. VOHRA)
MEMBER (T)


(ABNI RANJAN KUMAR SINHA)
MEMBER (J)