

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

ITEM No. 101

IA/3590/2020 C.P. (IB)/159(ND)2019

IN THE MATTER OF:

Yogendra Kumar Sharma ... Applicant/Petitioner

Vs

M/s Paras Manohar Malik ... Respondent

Order under Section 9 of IBC.

Order delivered on 10.09.2020

Coram:

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

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

PRESENTS:

For the Applicant : Mr. Manohar Malik,
For the Respondent : Mr. Abdhesh Chaudhary,
Mr. Shantanu Jha, Advs.
For the RP/IRP : Mr. Akhilesh Kumar Gupta, Adv.

ORDER

IA No. 3590/2020: This is an application filed under Section 12A by the Operational Creditor, since the CoC is not formed. Mr. Akhilesh Kumar Gupta, Practising Chartered Accountant appearing for the IRP Mr. Vijay Oberoi. Mr. Manohar Malik appearing for the applicant states that in compliance of the order passed by this Bench, the settlement agreement duly executed between the parties on 31.08.2020 is annexed with the application. Mr. Akhilesh Kumar Gupta appearing on behalf of

the IRP states that the CIRP cost including fees and expenses will be taken care from the deposit made by the applicant and undertakes to refund the surplus, if any. The settlement agreement is annexed with the application and the same is taken on record.

Considering the submission made and documents placed on record, we allow this application, thereby IB-159/ND/2019 stands withdrawn and disposed of.

IRP Mr. Vijay Oberoi is discharged forthwith. Assets and documents, if any, received by IRP from the Corporate Debtor may be handed over to the management of the Corporate Debtor immediately.

Application is disposed of in terms of the above order.

Sd/-

**SUMITA PURKAYASTHA
MEMBER (T)**

Sd/-

**DR. DEEPTI MUKESH
MEMBER (J)**