

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 233 of 2017**

**IN THE MATTER OF:**

**Mr. Himalay Dassani**

**...Appellant**

**Versus**

**M/s. South East U.P. Power  
Transmission Company Ltd.**

**...Respondent**

**Present:**

**For Appellant :**           **Mr. Aditya Dewan and Mr. Shashank Agarwal,  
Advocates**

**For Respondent :**       **Mr. Sudhir Makkar, Senior Advocate assisted by  
Mr. Abhishek Bansal, Advocates**

**Company Appeal (AT) (Insolvency) No. 255 of 2017**

**IN THE MATTER OF:**

**Mr. Himalay Dassani**

**...Appellant**

**Versus**

**Isolux Corsan India Engineering  
& Construction Pvt. Ltd.**

**...Respondent**

**Present:**

**For Appellant :**           **Mr. Aditya Dewan and Mr. Shashank Agarwal,  
Advocates**

**For Respondent :**       **Shri Deepak Khurana and Shri Vineet Tayal, Advocates**

## **ORDER**

**23.01.2019** Mr.Aditya Dewan, Advocate on instruction from Mr. Neeraj Kumar, Counsel for the Appellant and the Appellant **'Mr. Himalaya Dassani'** sought permission to withdraw both the appeals as Corporate Insolvency Resolution Process has already been initiated against the Respondent-'*Isolux Corsan India Engineering & Construction Pvt. Ltd.*'

Having heard learned counsel for the parties, we allow the appellant to withdraw both the appeals with liberty to file claim before the 'Resolution Profession' of '*Isolux Corsan India Engineering & Construction Pvt. Ltd.*' who will consider the same in accordance with law uninfluenced by the impugned order passed by the Adjudicating Authority or by this Appellate Tribunal.

Both the appeals are disposed of with the aforesaid liberty and directions. No cost.

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Justice Bansi Lal Bhat ]  
Member (Judicial)

ss/sk/