

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 205 of 2019

IN THE MATTER OF:

Sonia Modi

...Appellant

Versus

Relan Buildwell Pvt. Ltd.

...Respondent

Present:

For Appellant : **Mr. K. Datta, Mr. Mansumyer Singh, Mr. Himanshu Handa and Ms. Niharika Khanna, Advocate**

For Respondent : **Mr. Swanil Gupta and Ms. Ankita Sinha, Advocates for R-1**
Mr. Sumesh Dhawan and Ms. Vatasala Kak, Advocates
Ms. Chetna Bisht and Mr. Aashish Khattar, Advocates for Financial Creditors

O R D E R

01.03.2019 Respondent – ‘Relan Buildwell Pvt. Ltd.’ (Financial Creditor) filed an application under Section 7 of the Insolvency and Bankruptcy Code, 2016 (for short, ‘the I&B Code’) for initiation of ‘corporate insolvency resolution process’ against the ‘Kaliber Associates Pvt. Ltd.’ (Corporate Debtor). The Adjudicating Authority (National Company Law Tribunal), New Delhi, (Bench- II) by the impugned order dated 18th January, 2019 admitted the application under Section 7 giving rise to the present appeal.

2. Learned counsel for the appellant submits that the parties have settled the matter. However, it is brought to our notice that the appellant has already filed

the petition under Rule 11 of the NCLT Rules, 2016 for bringing to the notice of the Adjudicating Authority that they have settled the matter.

3. In view of the aforesaid fact, the learned counsel for the appellant intends to withdraw the appeal and pursue the matter before the Adjudicating Authority (National Company Law Tribunal) New Delhi. We accordingly allow the appellant to pursue the matter before the Adjudicating Authority but without any liberty to the appellant to challenge the impugned order dated 18th January, 2019 before this Appellate Tribunal.

4. The appeal stands disposed of as withdrawn.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

/ns/gc/