

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 643 of 2020

IN THE MATTER OF:

Euro Pratik Ispat (India) Pvt. Ltd.

... Appellant

Versus

**Ramesh Shetty, Resolution Professional of
The 4Mann Industries Pvt. Ltd. & Ors.**

...Respondents

Present:

For Appellant :

**Mr. Jayant Mehta, Mr. Udit Krishan and Mr. Udit
Gupta, Advocates**

For Respondents:

Ms. Rubina Khan, Advocate

O R D E R
(Through Virtual Mode)

29.07.2020 Mr. Jayant Mehta, Advocate representing the Appellant submits that fraud has been played upon the Adjudicating Authority in passing the impugned order of withdrawal within the ambit of Section 12(4) of the I&B Code. This appeal having been preferred against the order of withdrawal of company petition is not maintainable. If the Appellant is aggrieved of the impugned order having been passed by the Adjudicating Authority due to fraud played upon it, the Appellant shall be at liberty to raise such issue before the learned Adjudicating Authority.

The appeal is disposed of accordingly.

**[Justice Bansi Lal Bhat]
Acting Chairperson)**

**[Justice Jarat Kumar Jain]
Member (Judicial)**

**[Dr. Alok Srivastava]
Member (Technical)**

/ns/gc/

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