

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 300 of 2017

IN THE MATTER OF:

KJMC Corporate Advisors (India) Ltd.

...Appellant

Versus

India Steel Works Ltd.

...Respondent

Present:

**For Appellant : Shri Vipul Ganda, Shri Tarun Mehta and Shri Mayank
Srivastav, Advocates**

O R D E R

05.12.2017 After some arguments, learned counsel for the appellant sought permission to withdraw the appeal with liberty to file fresh application under Section 9 of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as the 'I & B Code') after notice to the respondent (Corporate Debtor) under sub-section (1) of Section 8 of the I & B Code. In view of the prayer made on behalf of the appellant, we allow the appellant to withdraw the appeal with liberty to file a fresh application. However, we do not express any opinion with regard to the question whether there is any 'dispute in existence' and that whether the fresh application filed under Section 9 will be maintainable or not.

The appeal is dismissed as withdrawn.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member(Judicial)

/ns/uk