

IN THE NATIONAL COMPANY LAW TRIBUNAL: CHANDIGARH
(through Hybrid Mode)
COURT-I

Item No. 116

CP (IB) No. 245/Chd/Hry/2023

IN THE MATTER OF:

Tung Builders Pvt. Ltd.

...Petitioner

Under Section: 10, IBC 2016

Order delivered on 08.05.2024

CORAM:

SH. UMESH KUMAR SHUKLA
HON'BLE MEMBER (T)

SH. HARNAM SINGH THAKUR
HON'BLE MEMBER (J)

PRESENT:

For the Petitioner:

Mr. Aalok Jagga, Advocate
Mr. APS Madaan, Advocate
Mr. G.S. Sarin, PCS

For the Cholamandalam:
Investment & Finance
Company Limited

Mr. Harsh Chopra, Advocate
(one of the financial creditors)

For the other Financial Creditor: None

ORDER

Affidavit of service has been filed by Ld. Counsel for the Petitioner vide Diary No. 02881/3 dated 29.04.2024. The same is taken on record. It is stated by Ld. Counsel for the Financial Creditor that he will assist this Bench regarding the maintainability of the present petition, however, the corporate debtor was admitted to CIRP under Section 9 of IBC by this Bench vide order dated 04.11.2022 and later on an application under Section 12A of the Code for withdrawal of the CIRP was filed on the basis of settlement agreement dated 17.11.2022 and ultimately the CIRP process was withdrawn vide order dated 01.12.2022. Ld. Counsel for the Financial Creditor-Mr.

Harsh Chopra, Advocate is directed to file short note on the maintainability of the present petition within one week. List on 03.06.2024.

Sd/-

(UMESH KUMAR SHUKLA)
MEMBER (T)
Preeti

Sd/-

(HARNAM SINGH THAKUR)
MEMBER (J)