

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 8
390/241- 242/PB/2018

IN THE MATTER OF:

ABRO Technology (P) Ltd.
Vs.

.... Petitioner/Applicant

Delhi Warehousing Pvt. Ltd.

.... Respondent

Order under Section 241-242 of the Companies Act, 2013

Order delivered on 02.05.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

SH. AVINASH K. SRIVASTAVA
HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Petitioner : Mr. Shashwat Awasthi, Mr. Kanishk Garg, Advs.
For the Respondent : Mr. Ashish Verma, Ms. Salonee Keshwani, Advs.
Ms. Nidhi Mohan Prashar, Mr. Rohan Chawla, Advs.
for the R-3 & R-4

ORDER

1. Ld. Counsel Mr. Shashwat Awasthi appeared on behalf of the Petitioner.
2. Ld. Counsel Mr. Ashish Verma appeared on behalf of the Respondent.
3. Both counsels stated that the settlement has been arrived. The report of the settlement is recorded in the order of the Hon'ble Supreme Court in **Civil Appeal No. 23527/2017** in the matter of **"ABRO Technology (P) Ltd. Vs. Warehousing Pvt. Ltd."** as follows:

"The learned Mediator (Hon'ble Shri Justice A.K. Sikri, a retired Judge of this Court) has forwarded a copy of the Memorandum of Family Settlement dated 24th March, 2024. The copy of the settlement agreement is taken on record.

The learned counsel appearing for the respondent nos. 1 and 2 has handed over two cheques to the learned counsel appearing for the appellant. The details of the two cheques are as under:

1. Cheque No.494201 dated 9th April, 2024 drawn on Axis Bank Ltd. for Rs.25,00,000/- (Rupees Twenty-five Lakhs) in favour of Agro Technologies Private Limited; and

2. Cheque No.494202 dated 9th April, 2024 drawn on Axis Bank Ltd. for Rs. 75,00,000/- (Rupees Seventy-five Lakhs) in favour of Shri Atul Nath.

The learned counsel appearing for the appellant seeks permission to withdraw the Appeal in view of the Settlement Agreement dated 24th March, 2024.

Accordingly, the Civil Appeal is disposed of as withdrawn.

Our attention is invited to an order dated 13th April, 2018 passed by the National Company Law Tribunal (for short, 'the NCLT') in CP No.123/241-242/PB/2018. It will be open for the parties to the settlement agreement to file an appropriate application before the NCLT, New Delhi Principal Bench, for seeking appropriate relief/clarification/modification. If such an application is made, the NCLT shall decide the same in accordance with law.

We may record our appreciation for the role played by the learned Mediator by devoting such a long time to the process of mediation which resulted in the parties arriving at an amicable settlement.”

4. In view of the above, the CP-390/241- 242/PB/2018 stands dismissed as settled.

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**(RAMALINGAM SUDHAKAR)
PRESIDENT**

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**(AVINASH K. SRIVASTAVA)
MEMBER (TECHNICAL)**