

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**SPECIAL BENCH**

**ITEM No. 06**  
**(IB)-79(PB)/2019**

**IN THE MATTER OF:**

Central Bank of India Ltd.

.... Applicant/petitioner

v.

Harvest Hotels and Services Apartments Pvt. Ltd.

.... Respondent

**Order under Section 7 of Insolvency & Bankruptcy Code, 2016 (CIRP)**

**Order delivered on 05.09.2019**

**Coram:**

**DR. DEEPTI MUKESH**  
**HON'BLE MEMBER (JUDICIAL)**

**SH. S. K. MOHAPATRA**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENTS:**

For the IRP

Mr. Kanwaljit Singh, Adv.

Mr. Amish Tandon, Adv.

For the CoC

Mr. Rony Oommen John, Adv.

**ORDER**

**CA-1708(PB)/2019**

This is an application filed under Section 12A of the Insolvency & Bankruptcy Code, 2016 by IRP annexing therein with the minutes of 6<sup>th</sup> CoC meeting held on 23.08.2019 wherein at agenda No. 6.13 the issue of withdrawal of the application was discussed and after deliberation by CoC members the proposal was put for voting. The CoC members by 100% voting share have resolved in favour and given consent for withdrawal of the company petition. The minutes along with the voting results is annexed with the application. Form FA is also annexed which clearly specifies that the claims of both the CoC members are being taken care of and the loan restructuring has been agreed by the CoC members. It is further mentioned that the



cost of CIR Process including fees of IRP has been duly settled and paid. The application under Section 12A is accordingly allowed. Ld. Counsel for the RP states that interim application is pending, which shall also stands disposed of in view of the withdrawal.

CP. No. (IB)-79(PB)/2019 and CA-1708(PB)/2019 stands disposed of.



**(S. K. MOHAPATRA)**  
**MEMBER (TECHNICAL)**



**(DR. DEEPTI MUKESH)**  
**MEMBER(JUDICIAL)**

05.09.2019  
Ritu Sharma