

DIVISION BENCH

ITEM NO.102

NATIONAL COMPANY LAW TRIBUNAL

ALLAHABAD BENCH

PRAYAGRAJ

IA No.43/2023, IA No.307/2023 & IA No.517/2023

IN CP (IB) No.79/ALD/2022

CORAM:

- 1. SHRI PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)**
- 2. SHRI ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)**

Date of Order: 25th October, 2023

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	STATE BANK OF INDIA V/S BAJAJ HINDUSTHAN SUGAR LTD.
UNDER SECTION	7 IBC

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Sandeep Arora, Adv.

*: For the Financial Creditor
& Applicant in IA no.517/2023
Respondent in IA No.307/2023*

Sh. Ramji Srinivasan, Sr. Adv.

: For the Corporate Debtor

assisted by Sh. Kartikeya Saran,

& Applicant in IA No.307/2023 and

Sh. Adarsh Bhushan, Sh. Sanjeev Singh, Advs. *Res. in IA No.43/2023*

& Sh. Nesar Ahmad, PCS

ORDER

IA No.517/2023

1. As per the previous order dated 13th October, 2023, Ld. Counsel representing the Financial Creditor made statement that as per his instructions the outstanding amount as fallen due has been paid by the Corporate Debtor, and therefore, he further stated that he would be moving an appropriate application for withdrawal of the present petition.
2. In pursuance of the said statement, the present IA No.517/2023 has been filed inter alia with the following prayer:-

1. That the instant application w/s 7 of IBC 2016, is pending before this Hon'ble Tribunal.

2. That the corporate Debtor, during the pendency of the same has deposited with the applicant overdue amount towards Term Loan and

-Sd-

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OCD coupons, and has also assured to pay the future overdue(s) / Installment(s) with interest thereon, as and when, the same becomes due and payable.

3. That under such circumstances, Applicant, State Bank of India, has decided not to pursue, its application u/s 7 of IBC 2016 at this stage.

4. In view of the above, it therefore, most respectfully prayed that this Hon'ble Tribunal may be pleased to:

a. Dispose off the instant application u/s 7 of IBC 2016 on above terms.

b. Pass any other order(s) which this Hon'ble court may deem fit and proper may also be passed in favour.

3. Let the notice be issued in the present IA No.517/2023. The Ld. Senior Counsel representing the non-applicant/ respondent accepts notice, and therefore, waives service.
4. In view of the averments made in the application and the statement made by the Ld. Counsel representing the Financial Creditor and there being no objection of the Ld. Sr. Counsel for the Corporate Debtor to the said withdrawal of the main petition, the present application is allowed and the main petition is dismissed as withdrawn. However, all parties are left to their further rights and remedies in accordance with law.
5. Consequently, all the remaining applications also stand disposed off.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

25th October, 2023

Avaneesh Kumar Singh
(Stenographer)