

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - 1

ITEM No. 3 – IA/64(AHM)2024
In
CP 99 of 2019

Proceedings under Section 66 of Co. Act, 2013

IN THE MATTER OF:

Bhanuenergy Infrastructure & Power Ltd

.....Applicant

.....Respondent

Order delivered on: 04/07/2024

Coram:

Mr. Shammi Khan, Hon'ble Member(J)

Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Ravi Pahwa, Advocate a/w.

: Mr. Aditya Mukherjee, Advocate

For the Respondent/RD : Shiv Pal Singh, Deputy Director

ORDER
(Hybrid Mode)

This is an application filed by Applicant Company for withdrawal of CP No. 99 of 2019 filed under Section 66 of Co. Act, 2013 which is otherwise listed on 01.08.2024 with following prayer:-

- a. *Allow the withdrawal of the present Company Petition being C.P. / 99 (AHM) / 2019, and order the same dismissed as withdrawn by the Applicant Company,*
- b. *pass such further orders and directions as this Hon'ble Tribunal may deem fit and proper in the interest of justice and in favour of the Applicant Company.*

It has been contended in the application of withdrawal that Applicant Company had their meeting with their lawyers and it has discovered that since the four years lapsed during the petition were kept pending, the circumstances have substantially changed. A letter to this effect in the shape of reply has been forwarded by the Applicant Company on 24.06.2024 to the Joint Director, Office of Director General, Ministry of Corporate Affairs, Government of India, New Delhi which was forwarded

in the response to the letter dated 21.03.2024 qua the investigation into the Affairs of the Company by the SFIO.

Heard the learned Counsel for the applicant and perused the application. Without commenting on the letter of Ministry of Corporate Affairs, Government of India qua the SFIO investigation, we permit withdrawal of main Company Petition being CP No. 99 of 2019 and accordingly present IA/64(AHM)2024 is disposed and CP No. 99 of 2019 is dismissed as withdrawn.

Date fixed in CP No. 99 of 2019 stands cancelled. Registry is directed to not to list the main CP No. 99 of 2019. File be consigned to records.

-Sd-
SAMEER KAKAR
MEMBER (TECHNICAL)

-Sd-
SHAMMI KHAN
MEMBER (JUDICIAL)