

**NATIONAL COMPANY LAW TRIBUNAL**  
**COURT ROOM NO. 1,**  
**MUMBAI BENCH**

**Item No. 24**

**C.P. (IB)/1215(MB)2022**

CORAM:

**SH. PRABHAT KUMAR      JUSTICE VIRENDRASINGH BISHT (Retd.)**  
**HON'BLE MEMBER (TECHNICAL) HON'BLE MEMBER (JUDICIAL)**

**ORDER SHEET OF THE HEARING ON 16.07.2024**

NAME OF THE PARTIES:      **ENCORE ASSET RECONSTRUCTION**  
**COMPANY PRIVATE LIMITED V/s D S**  
**KULKARNI & COMPANY THROUGH ITS**  
**PARTNERS MR. DEEPAK S. KULKARNI**  
**AND MRS. HEMANTI D. KULKARNI**

Section 95(1) of the Insolvency and Bankruptcy Code, 2016

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**ORDER**

1. Mr. Rohan Agarwal, Advocate a/w Mr. Archit Virmani, Advocate & Mr. Atul Gupta, Advocate appeared for the Petitioner.
2. Mr. Ankit Pitti, CA i/b SST Legal appeared for the Respondent.
3. Mr. Yash Jariwala, Advocate appeared for the Resolution Professional.
4. This Petition has been filed against the Partnership Firm through its Partners, who stood guarantor of the Corporate Debtor. Learned Counsel for the Petitioner submits that the present petitioner lie before DRT and not this Tribunal, accordingly seeks to withdraw the same. We have noted the

submissions of learned Counsel for the Petitioner and taking note of submission, we dismiss the present petition as withdrawn.

5. In view of above **C.P. (IB) No. 1215/2022** is **dismissed** as **withdrawn**.

**Sd/-**  
**PRABHAT KUMAR**  
**MEMBER (TECHNICAL)**

**Sd/-**  
**JUSTICE VIRENDRASINGH BISHT**  
**MEMBER (JUDICIAL)**

Sapna