

**IN THE NATIONAL COMPANY LAW TRIBUNAL
SPECIAL BENCH, BENGALURU
(Through web-based video conferencing platform)**

**ITEM No.08
C.P. (IB) No.136/BB/2024**

IN THE MATTER OF:

FIT 3 PL Warehousing Pvt. Ltd.,	...	Petitioner
Vs.		
Think and Learn Private Limited	...	Respondent

Order under Section 9 of IBC, 2016

Order delivered on 23.07.2024

CORAM:

**JUSTICE (RETD.) T. KRISHNAVALLI
HON'BLE MEMBER (JUDICIAL)**

**SHRI MANOJ KUMAR DUBEY
HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For the Petitioner : Shri Arkaprava Guha Niyogi

ORDER

1. The present petition is filed on 01.03.2024 under Section 9 of the Insolvency and Bankruptcy Code, 2016 (for brevity '**IBC/ Code**'), r/w Rule 6 of the I & B (Application to Adjudicating Authority) Rules, 2016, by **FIT 3PL Warehousing Private Limited** (for brevity 'Operational Creditor/Petitioner') *inter alia* seeking Corporate Insolvency Resolution Process against **Think & Learn Private Limited** (hereinafter referred as 'Corporate Debtor/Respondent).
2. Heard the Learned Counsel for the Petitioner.
3. In view of the order passed on 16.07.2024 by this Adjudicating Authority in another Company petition bearing C.P (IB) No.149/BB/2023 which is filed by *The Board and Control for Cricket in India* under Section 9 of the I & B Code 2016 r/w Rule 6 of the Insolvency & Bankruptcy (Application to

Adjudicating Authority) Rules 2016, against the same Corporate Debtor herein i.e., Think & Learn Private Limited and since the Corporate Insolvency Resolution Process (CIRP) has been initiated in respect of the Corporate Debtor therein by appointing the IRP, the instant C.P is disposed of by granting liberty to the Petitioner herein to put-forth their claim before the IRP appointed in C.P (IB) No. 149/BB/2023 in accordance with the provisions of the IBC 2016 and the Regulation made thereunder.

4. The Ld. Counsel for the Petitioner stated that the appeal has been preferred against initiation of CIRP, therefore, he requested to keep the present case in abeyance. However, since CIRP already initiated against the Corporate Debtor, we hereby grant liberty to the Petitioner to seek restoration/revival of the said petition bearing C.P (IB) No.136/BB/2024 depending on the subsequent developments in the matter at the Appellate level; if any.
5. **Accordingly, C.P (IB) No.136/BB/2024 is disposed of.**

Sd/-

**(MANOJ KUMAR DUBEY)
MEMBER (TECHNICAL)**

Sd/-

**(T.KRISHNAVALLI)
MEMBER (JUDICIAL)**