

**IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT- I) CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **15.07.2024** THROUGH VIDEO CONFERENCE

PRESENT: HON'BLE SHRI SANJIV JAIN, MEMBER (JUDICIAL)
HON'BLE SHRI VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)

IN THE MATTER OF : Rose Flower Company Paper Pvt Ltd
Vs
Ransan Packaging Pvt Ltd

MAIN PETITION NUMBER : CP(IB)/59(CHE)2023
(IA/MA) APPLICATION NUMBERS

IA(IBC)/1258(CHE)2024

ORDER

Present: Ms. E.Santhanalakshmi, RP in person.
Mr. Avinash Krishnan Ravi, Ld. Counsel for Operational
Creditor/Applicant.

RP submits that there are no realizable assets in the present case. CoC is not willing to bear the expenses anymore. CIRP expenses and the IRP fees have already been paid.

Ld. Counsel for the Operational Creditor per contra submits that the application for withdrawal can only be filed at the instance of the Applicant at whose instance the CIRP was initiated. In this case, the Applicant has not given any Form-FA. He further submits that the RP has to proceed as per Regulation 39 (B) & (C) of CIRP Regulations.

Considering the submissions as above and the fact that Form-FA has not been signed by the Applicant at whose instance the CIRP was initiated, the Application filed under Section 12A cannot be maintained. The application is accordingly **dismissed**.

RP is directed to proceed as per law.

-sd-

[VENKATARAMAN SUBRAMANIAM]
MEMBER (TECHNICAL)

MS

-sd-

[SANJIV JAIN]
MEMBER (JUDICIAL)