

IN THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH (COURT – II)
(Through Hybrid Mode)

Item No. 117
IA(I.B.C)/630 (CH)2024
IA(I.B.C)/1136 (CH)2024
And
CP (IB) No. 244/Chd/Hry/2023

IN THE MATTER OF:

State Bank of India

...

Petitioner

Versus

Dipali Mittal

...

Respondent

Under Section : 95, 99, 60(5) IBC 2016

Order delivered on 08.05.2024

CORAM:

**SHRI. SATYA RANJAN PRASAD,
HON'BLE MEMBER (T)**

**SHRI. P.S.N. PRASAD,
HON'BLE MEMBER (J)**

PRESENT:

For the Petitioner : Mr. Pulkit Goyal, Mr. Harsh Garg, Advocates

For the Personal guarantor in main CP and applicant in IA(I.B.C)/630 (CH)2024 : Mr. Anand Chhibbar, Senior Advocate with Mr. Vaibhav Sahni and Mr. Shikhar Sarin, Advocates

ORDER

IA(I.B.C)/630 (CH)2024 & CP (IB) No. 244/Chd/Hry/2023

This is an application filed under Section 60(5), wherein the applicant/personal guarantor in his detailed application while dealing with sequence of events and dates submitted that during the pendency the matter was settled, in fact it transpires that the State Bank of India has issued a 'No Due Certificate' vide its letter dated 29.04.2024 bearing No.55. The applicant/personal guarantor has prayed for dismissal of the present

petition filed by the State Bank of India under Section 95 of IB Code, 2016. Learned counsel for the State Bank of India, Mr. Pulkit Goyal, Advocate, is present and submitted that they have no objection in allowing the prayer of the applicant/personal guarantor.

On the last occasion, this Adjudicating Authority having noted the facts and circumstances of the matter and directed the learned counsel for the State Bank of India to move application and also made it clear that if the State Bank of India fails to move the application, the application filed by the applicant/personal guarantor will be acted upon.

Thus, IA(I.B.C)/630 (CH)2024 is stands allowed.

Accordingly, Mr. Pulkit Goyal, Advocate who has appeared on behalf of the State Bank of India has submitted that he wants to withdraw CP No.244/Chd/Hry/2023. Keeping in view the statement made by him, the company petition bearing CP (IB) No. 244/Chd/Hry/2023 filed under Section 95 stands dismissed as withdrawn.

The case folder and connected papers be consigned to the record room.

IA(I.B.C)/1136 (CH)2024

In view of the above, IA(I.B.C)/1136 (CH)2024, become infructuous and disposed of accordingly.

__Sd/-
(SATYA RANJAN PRASAD)
HON'BLE MEMBER (T)

Sd/-
(DR. P.S.N. PRASAD)
HON'BLE MEMBER (J)