

**IN THE NATIONAL COMPANY LAW TRIBUNAL,
NEW DELHI COURT III (SPECIAL BENCH)**

Item No.206
IB-674(ND)/2022

IN THE MATTER OF:

M/s. Emgreen Impex Ltd

.....APPLICANT/PETITIONER

Vs.

M/s. AVSL Industries Ltd.

....RESPONDENT

SECTION

U/s 9 of IBC, 2016

Order delivered on 07.03.2023

CORAM:

SHRI BACHU VENKAT BALARAM DAS, HON'BLE MEMBER (JUDICIAL)

SHRI RAHUL PRASAD BHATNAGAR, HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant

:

For the Respondent

: Mr. Iswar Mohapatra, Advocate.

ORDER

Despite repeated calls, no one has appeared on behalf of the Operational Creditor.

Mr. Ishwar Mohapatra, Learned Counsel appearing for the Corporate Debtor submits that pursuant to the order dated 13.02.2023, an affidavit has been filed stating therein that the Corporate Debtor has paid full and final amount of Rs. 1,26,58,112/- to the Operational Creditor.

Since, no one has appeared on behalf of the Operational Creditor, we deem it appropriate to dismiss the petition for non-prosecution. We further take note of the fact that the Corporate Debtor has paid full and final payment of Rs. 1,26,58,112/- to the Operational Creditor and take the affidavit on record.

IB-674(ND)/2022 is accordingly **dismissed**.

-SD-

**(RAHUL BHATNAGAR)
MEMBER (TECHNICAL)**

-SD-

**(BACHU VENKAT BALARAM DAS)
MEMBER (JUDICIAL)**