

DIVISION BENCH

ITEM NO.121

NATIONAL COMPANY LAW TRIBUNAL

ALLAHABAD BENCH

PRAYAGRAJ

RST. A. NO.01/2023 IN CP (IB) NO.293/ALD/2019

CORAM:

- 1. SHRI PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)**
- 2. SHRI ASHISH VERMA,
HON'BLE MEMBER (TECHNICAL)**

Date of Order: 16th April, 2024

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	EVERSHINE ENTERPRISES V/S M/S SUSHEELA TEXTFAB PVT LTD
UNDER SECTION	9 OF IBC

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Anil Kumar, PCS : *For the Operational Creditor
& Applicant in Rst. A. No.01/2023*

Sh. Shubham Agarwal, Adv. : *For the Corporate Debtor*

ORDER

Rst. A. No.01/2023

Ld. Counsels representing the parties are present.

- 1.** This application has been filed for restoration of the main petition filed U/s 9 of the Code.
- 2.** Earlier in terms of an order dated 15.03.2022, the petition was dismissed as withdrawn in view of the settlement having been reached *interse* between the parties and by virtue of this Tribunal order dated 15.03.2022, the liberty was also granted to the Operational Creditor to file appropriate application for revival of the present petition.
- 3.** The Ld. Counsel representing the Corporate Debtor states that the mother of the Director of the Corporate Debtor has demised recently. He however further states that the settlement amount also has since then been paid in full to the Operational Creditor.

-Sd-

-Sd-

4. The Ld. Counsel representing Operational Creditor seeks two weeks time to take instructions from his client with respect to the second aspect relating to the amount having been paid by the Corporate Debtor to the Operational Creditor.
5. Let the matter be adjourned for further hearing on 15th May, 2024.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

16th April, 2024

Kavya Prakash Srivastava
(Stenographer)