

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - I

ITEM No.218-Rest.App/7(AHM)2023
in
CP(IB) 779 of 2019

Proceedings under Section 9 IBC

IN THE MATTER OF:

S S Infraconstructions Pvt Ltd
V/s
Manpasand Beverages Ltd

.....Applicant

.....Respondent

Order delivered on 01/05/2024

Coram:

Mr. Shammi Khan, Hon'ble Member(J)
Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant : PCS Vinit Nagar
For the Respondent/CD : Mr. Jaimin Dave, Adv.

ORDER

Learned counsel for the respondent submits that order of CIRP against the Corporate Debtor was already passed by this Tribunal in another CP(IB) 847/2019 on 11.09.2023. The said order was assailed before the Hon'ble NCLAT in Company Appeal No. 1205/2023 in which order of CIRP has been stayed. Next date in said appeal is 13.05.2024.

It is seen that our order of the CIRP passed in aforementioned CP(IB) has only been stayed not set aside till date. No useful purpose will be served by keeping the present application pending on the Board.

Therefore, we dispose of this application along with the connected IA with liberty to re-agitate if the CIRP order is set aside by the Hon'ble NCLAT or is withdrawn.

Further, in case the CIRP order is upheld by the Higher forum, liberty is given to the applicant to file claim before the concerned IRP as per law.

Accordingly, **Rest.App/7(AHM)2023** is disposed of.

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SAMEER KAKAR
MEMBER (TECHNICAL)

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SHAMMI KHAN
MEMBER (JUDICIAL)