

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

MA 530/2018 in CP(IB)-1487(MB)/2017

CORAM:

SHRI B.S.V. PRAKASH KUMAR
MEMBER (J)

SHRI RAVIKUMAR DURAISAMY
MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON 05.09.2018

NAME OF THE PARTIES:

ICICI Bank Ltd.
v/s.
Western India Shipyard Ltd.

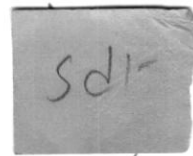
INSOLVENCY & BANKRUPTCY CODE 2016.

ORDER

On the withdrawal memo filed by the Applicant (Liquidator), MA No. 530/2018 in CP(IB)-1487(MB)/2017 is hereby **dismissed** as withdrawn with liberty to file afresh on the same cause of action.



RAVIKUMAR DURAISAMY
Member (Technical)



B.S.V. PRAKASH KUMAR
Member (Judicial)

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH
MISCELLANEOUS APPLICATION NO. 530 OF 2018**

IN

COMPANY PETITION NO. 1487 OF 2017

Om Prakash Kanoongo

...APPLICANT

v.

Muthuswamy Santhanam & Ors

...RESPONDENT

MEMORANDUM OF WITHDRAWAL

1. The Applicant above named has been appointed as the liquidator of the corporate debtor, i.e. Western India Shipyard Ltd, by way of an order dated the 26th of July, 2018, passed by this Hon'ble Tribunal.
2. The present Application had been filed by the Applicant while he was still the resolution professional with respect to the corporate debtor. The present Application had been filed by the Applicant under section 66 of the Insolvency and Bankruptcy Code, 2016, in relation to certain fraudulent transactions discovered by him.
3. However, the Application filed did not seek any relief under section 43 of the Insolvency and Bankruptcy Code, 2016. Upon a perusal of the documents, and on the basis of further investigation conducted by the Applicant, the Applicant states and submits that it would be in the best interests of all the stakeholders if relief is also sought against the Respondents under sections 43 and 44 of the Insolvency and Bankruptcy Code, 2016.
4. Therefore, in light of the above, the Applicant humbly prays that this Hon'ble Tribunal be pleased to allow him to withdraw this present application with liberty to file a fresh application based upon the same cause of action under sections 43, 44, 66 and other relevant provisions of the Insolvency and Bankruptcy Code, 2016.

Adv for Resp No. 1, 3 & 4
Riva

Advocate for Petitioners