

THE NATIONAL COMPANY LAW TRIBUNAL, MUMBAI DIVISION – I,
MUMBAI

CP (IB)-1736/MB)/2018

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 **06.09.2018**.

NAME OF THE PARTIES: **SAGAR ENTERPRISES**

v/s.

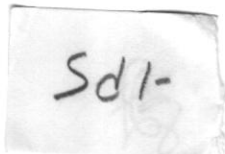
SHRI VAIJANATH INDUSTRIES PVT. LTD.

SECTION 9 OF INSOLVENCY & BANKRUPTCY CODE, 2016

ORDER

15. CP (IB)-1736/MB)/2018

Petitioner side present. On the Withdrawal Memo filed by the
Petitioner Company, this Company Petition is hereby dismissed as
withdrawn.



RAVIKUMAR DURAISAMY
Member (Technical)
Encl : withdrawal Memo



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

GIRISH B. KEDIA

B.Com., L.L.B.

ADVOCATE, HIGH COURT

(All Correspondence at Residence address only)

Off : Flat No. 202, 2nd Floor, Sammrudhi Apts., Play Ground Road, Opp. Sathey College,
Behind Adharsh Petrol Pump, Vile Parle (East), Mumbai - 400 057.

Time : Mon. to Fri. 6 p.m. To 9 p.m. & Sat. : 11 a.m. to 3 p.m.

Resi : Flat No. 202, 2nd Floor, Irene Aptment, Hanuman Road, Opp. Cosmos Bank,
Parle Tilak School Compound, Vile Parle (East), Mumbai - 400 057.

E-mail : gbkedia@rediffmail.com, Cell No.: 98922 60588

Ref. No.

Date : 05.09.2018

To,
The Registrar,
Company Law Tribunal,
Mumbai Bench, Mumbai.

Sir,

See 9

Ref.: Before the National Company Law Tribunal,
Bench at Mumbai,
MISC. APPLICATION NO. OF 2018
IN
INSOLVENCY AND BANKRUPTCY APPLICATION
NO. 1736 OF 2018

Mr. Nitin Kapadia ... Operational Creditor (Sagar Enterprises)
AND
M/s. Shri Vaijanath Industries Pvt. Ltd
... Corporate Debtor.

BE PLEASED to take on record the ^{memo of} ~~Misc. Application for~~ (w)
Withdrawal of Insolvency and Bankruptcy Application No. 1736 of 2018.
~~Alongwith pay order for Rs. 1000/- being pay order no. 705227 dated~~
~~06.09.2018 drawn on Bank of India Bank.~~

Yours faithfully,

(GIRISH B. KEDIA)

Advocate for Operational Creditor

Encl.: As above.

06 SEP 2018

27609

12.15

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL

MUMBAI BENCH, MUMBAI

MISC. APPLICATION NO. OF 2018

IN

INSOLVENCY AND BANKRUPTCY APPLICATION

NO. 1736 OF 2018

(Under Rule 9 of the Insolvency and Bankruptcy Code, 2016 read with Rule 6 of the Insolvency and Bankruptcy, (Application to the Adjudicating Authority Rules, 2016)

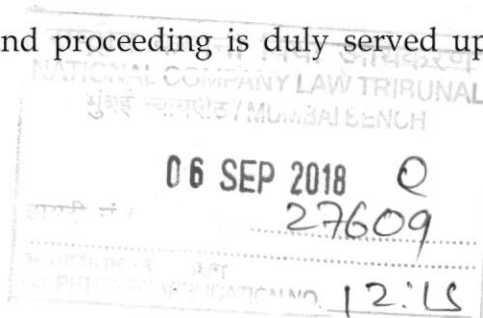
Mr. Nitin Kapadia,)
 Sole Proprietor of M/s. Sagar Enterprises)
 having address at D-101, Pushpa Heritage,)
 Dahanukar Wadi, Mahavir Nagar,)
 Kandivali(W),)
 Mumbai-400 067 .) ...Operational Creditor

V/s

M/s. Shri Vaijanath Industries Pvt. Ltd.)
 a company duly registered under the)
 provisions of the Companies Act, 1956,)
bearing Registration CIN No.)
 U74900PN2008PTC132227)
 having its registered office at 9,)
 Survey No.107, Shinoli (BK), Taluka Chandgad,))
 Dist. Kolhapur.)
 Maharashtra: 416509)... Corporate Debtor

MAY IT PLEASE YOUR LORDSHIP :

1. The Operational Creditor has filed above mention Insolvency and Bankruptcy Application against Corporate Debtor before this Hon'ble Tribunal. The papers and proceeding is duly served upon Corporate Debtor.



2. The Operational Creditor submit that after receipt of Notice the Corporate Debtor have paid entire outstanding amount towards the full and final settlement of the claim of the Operational Creditor.

3. In view of the above payment received by Operational Creditor, this Hon'ble Tribunal be pleased to allow the Operational Creditor to withdraw the above mentioned Insolvency and Bankruptcy Application No. 1736 of 2018 as the Operational Creditor has received the claim amount in full and final settlement.

4. The Operational Creditor, therefore, prays that -

- (a) This Hon'ble Tribunal be pleased to allow the Operational Creditor to withdraw the Insolvency and Bankruptcy Application No. 1736 of 2017 as the Operational Creditor has received the claim amount in full and final settlement from the Corporate Debtor.
- (b) Such further and other reliefs be awarded to the Operational Creditor as this Hon'ble Court may deem fit in the nature and circumstances of the case.

Dated this 6th day of September, 2018



Advocate for Operational Creditor

BEFORE THE NATIONAL COMPANY LAW
TRIBUNAL,
MUMBAI BENCH, AT MUMBAI
MISC. APPLICATION NO. OF 2018
IN
INSOLVENCY AND BANKRUPTCY
APPLICATION NO. 1736 OF 2018

Mr. Nitin Kapadia

...Operational Creditor

V/s

M/s. Shri Vaijanath Industries Pvt. Ltd

...Corporate Debtor

**MISC. APPLICATION FOR
WITHDRAWAL OF INSOLVENCY
AND BANKRUPTCY APPLICATION**

Dated this ^{6th}...day of September, 2018

GIRISH KEDIA,
Advocate for Operational Creditor
202, 2nd floor, Irene Apartment,
Vile Parle(E),
Mumbai-400 057.
gbkedia@rediffmail.com