

**BEFORE THE AJUDICATING AUTHORITY
(NATIONAL COMPANY LAW TRIBUNAL)
AHMEDABAD BENCH
AHMEDABAD**

C.P. (I.B) No. 122/9/NCLT/AHM/2017

Coram:

**Present: Hon'ble Ms. MANORAMA KUMARI
MEMBER JUDICIAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 04.10.2017**

Name of the Company: Modi Hitech India Ltd
V/s.
Patel Heat Exchangers Pvt. Ltd.

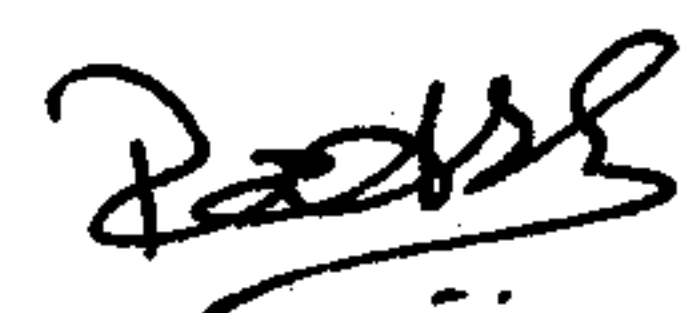
Section of the Companies Act: Section 9 of the Insolvency and Bankruptcy
Code

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
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1. ROHAN SHAH

Advocate

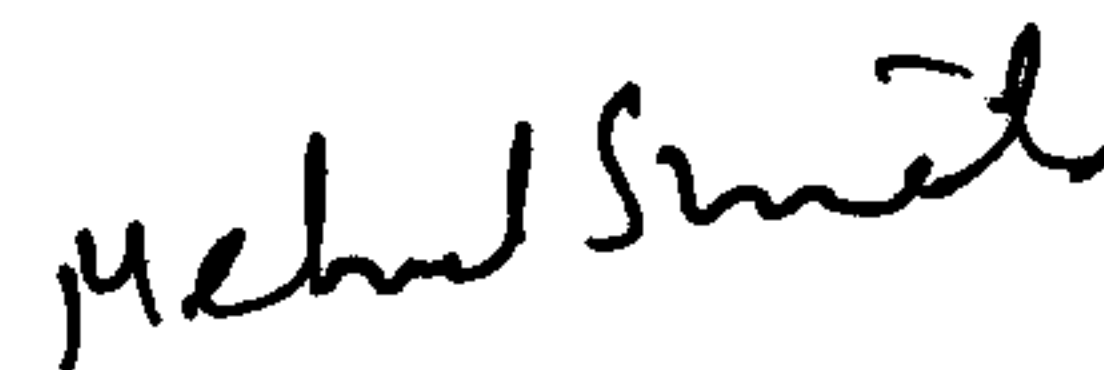
Corporate
debtor



2. MEHUL SURTI

ADVOCATE

OPERATIONAL
CREDITOR



ORDER

Learned Advocate Mr. Mehul Surti present for Operational Creditor/ Applicant.
Learned Advocate Mr. Rohan Shah present for Respondent.


Applicant filed memo seeking permission to withdraw the application in view of the settlement arrived between the parties. Petitioner submitted that the Respondent has made part payment of Rs 1,00,000/- out of Rs. 5,16,971/-. For the remaining amount the Respondent has given four post-dated cheques to the Petitioner.

Since the total amount is not been paid the petitioner submitted that he may be permitted to withdraw the petition with liberty to file fresh application in the event of dishonour of post-dated cheques issued by Respondent.

Heard arguments of Learned Counsel for Applicant and Learned Counsel for Respondent.

The application is allowed to withdraw the petition with liberty to file fresh application in the event of non-payment of cheques.

Hence, CP(IB) 122/2017 is dismissed as withdrawn.


**MANORAMA KUMARI
MEMBER JUDICIAL**

Dated this the 4th day of October, 2017.