

**IN THE NATIONAL COMPANY LAW TRIBUNAL :  
HYDERABAD BENCH : AT HYDERABAD**

C.P.(IB)No.123/9/HDB/2017  
U/S 9 of IBC 2016 R/W Rule 6 of I&B  
(Application to Adjudicating Authority) Rules, 2016

**In the matter of:**

M/s.Bharatiya Roadlines Private Limited  
Rep. by its Executive President  
Mr.N.M.Krishna  
No.212, Raghava Ratna Towers,  
Chirag Ali Lane,  
Hyderabad-500 001.

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OF THE ORIGINAL**

.....Petitioner / Operational Creditor

Versus

M/s. Ramky Infrastructure Ltd  
Ramky Grandiose, 15<sup>th</sup> Floor,  
Sy.No.136/2&4, Gachibowli,  
Hyderabad – 500032.

....Respondent / Corporate Debtor

Date of Order : 11-09-2017

**CORAM:**

Hon'ble Mr. Rajeswara Rao Vittanala, Member (Judicial)  
Hon'ble Mr. Ravikumar Duraisamy, Member (Technical)

Parties / Counsels Present:

For Petitioner : Shri Sharad Sangi

For Respondent : Shri Avinash Desai

Per: Rajeswara Rao Vittanala, Member (Judicial)

**ORDER**

1. The Company Petition bearing C.P.(IB).No. 123/9/HDB/2017 is filed by M/s.Bharatiya Roadlines Private Limited u/s 9 of the Insolvency and Bankruptcy Code, 2016



under Rule 6 of the I&B (Application to Adjudicating Authority) Rules, 2016 by seeking to initiate Corporate Insolvency Resolution Process against M/s.Ramky Infrastructure Limited under IBC, 2016.

2. Heard. Shri Sharad Sangi, Learned Counsel for Petitioner. Shri Avinash Desai, Learned Counsel for Respondent.
3. Shri Sharad Sangi, Learned Counsel for Petitioner submitted that M/s. Ramky Infrastructure Limited is incorporated on 13.04.1994. The Petitioner/ Creditor has rendered services to the Respondent/Corporate Debtor and the amount payable details are as follows:-

Outstanding Amount Statement as on 27.04.2017

Bill No.	Bill Date	Amount	Interest @ 18%
127	30.08.2013	25,600/-	16,854/-
128	31.08.2013	22,500/-	14,824/-
131	26.09.2013	27,300/-	17,610/-
132	28.10.2013	23,500/-	14,776/-
133	28.10.2013	23,500/-	14,776/-
134	28.10.2013	23,500/-	14,776/-
137	28.10.2013	23,500/-	14,602/-
138	13.11.2013	24,800/-	15,410/-
139	13.11.2013	26,000/-	16,156/-
140	13.11.2013	24,800/-	15,410/-
144	03.12.2013	26,397/-	16,142/-
145	03.12.2013	24,000/-	14,676/-
146	03.12.2013	24,000/-	14,676/-
147	03.12.2013	25,600/-	15,655/-
148	03.12.2013	24,800/-	15,165/-
	<b>Total</b>	<b>3,69,797/-</b>	<b>2,31,508/-</b>

ABSTRACT

Outstanding Bills amount	Rs.3,69,797/-
Less: Payments Received	Rs.1,34,500/-
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Net Principal Amount Due	Rs.2,35,297/-
Interest thereon @ 18% PA till 27.05.2017	Rs.2,31,508/-
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Total Amount Due	Rs.4,66,805/-
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4. The Learned Counsel further submit that whey the said amount was not paid, the Petitioner got issued demand notice in Form-3 dated 01.05.2017 under IBC, 2016 R/W Rule 5 of I&B (Application to Adjudicating Authority) Rule, 2016 by demanding to pay the total amount of Rs.4,66,805/-. When the Respondent is failed to pay the above amount, the Petitioner has filed the present Company Petition by seeking to initiate Corporate Insolvency Resolution Process against the Respondent.
5. The case is listed before this Tribunal on various dates viz 28.07.2017, 03.08.2017, 04-08-2017, 09-08-2017, 14.08.2017, 28.08.2017, 30.08.2017 and 11-09-2017. The case was adjourned on above dates on the submission of the Learned Counsel of parties that the issue in question is likely to be resolved between the parties. Both the parties filed Joint Memo of Settlement dated 11.09.2017 which contains several terms and conditions, the Joint Memo of Settlement is taken on record. In the light of above Joint Memo of Settlement, the Learned Counsels for both the parties submitted that the Company Petition may be permitted to withdraw.



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प्रमाणित प्रति

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केस संख्या  
CASE NUMBER C.P.(IB) No.123/9/HDB/2017

नर्णय का तारीख  
DATE OF JUDGEMENT 11.09.2017

प्रति तैयार किया गया तारीख  
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6. Hence, the Company Petition bearing C.P.(IB).No.123/9/HDB/2017 is disposed of as withdrawn. No order as to costs.

Sd/-  
RAVIKUMAR DURASAMY  
MEMBER (TECHNICAL)

Sd/-  
RAJESWARA RAO VITTANALA  
MEMBER (JUDICIAL)

for  
Dy. Regr./Asst. Regr/Court Officer/  
National Company Law Tribunal, Hyderabad Bench