

(2024) 05 CESTAT CK 0030

In the Customs, Excise And Service Tax Appellate Tribunal

Case No : Service Tax Appeal No. 30531 Of 2018

Dharti Dredging & Infrastructure Ltd

APPELLANT

Vs

Commissioner Of Central Tax Secunderabad ? GST

RESPONDENT

Date of Decision : 27-05-2024

Acts Referred:

Citation : (2024) 05 CESTAT CK 0030

Hon'ble Judges : A.K. Jyotishi, Member (T)

Bench : Single Bench

Advocate : Khushi Singh, V.R. Pavan Kumar

Final Decision : Disposed Of

Judgement

A.K. Jyotishi, Member (T)

1. Ms. Khushi Singh, Advocate, appeared on behalf of the Appellant and informed that the company had undergone CIRP process and the NCLT, Hyderabad Bench, vide their Order in CP (IB) No. 329/7/HDB/2020 dt.20.07.2023 approved the Resolution Plan filed by the Resolution Professional. Pursuant to the approval of the Resolution Plan, the Resolution Applicant viz., Consortium of Yogayathan Ports Pvt Ltd & Dr. Rajendra Rajabali, have complied with the conditions stipulated by the NCLT in their Order and accordingly, matter stands concluded in terms of CIRP. She further requests that since the NCLT has approved the Resolution Plan and which has also been executed in full, the Appeal need not be continued as all crystallized liabilities and unclaimed liabilities, etc., as on the date of Order, stands extinguished in terms of Order passed by the NCLT.

2. Learned AR points out that the Resolution Plant has already been approved and has no objection to the request of learned Advocate for the appellant for disposing this Appeal.

3. Heard both the sides.

4. In view of the Order passed by the NCLT, Hyderabad Bench approving the

Resolution Plan submitted by the Resolution Applicant for the Appellants and its successful implementation as also Order passed by the NCLT indicating that all crystallized liabilities and unclaimed liabilities of Corporate Debtor as on the date of the Order shall stand extinguished, I find that the Appeal becomes infructuous and accordingly, I pass the following Order:

"Appeal is disposed of as infructuous."