
(2023) 01 NCLT CK 0004

In the National Company Law Tribunal

Case No : IA 33/2023 in C.P. (IB)/121/(MB)2022

**Piramal Capital & Housing Finance Limited Vs Kunjbihari Developers
Private Limited ?**

Date of Decision : 04-01-2023

Acts Referred:

Insolvency and Bankruptcy Code, 2016 — Section 7
National Company Law Tribunal Rules, 2016 — Rule 11

Citation : (2023) 01 NCLT CK 0004

Hon'ble Judges : Kishore Vemulapalli, Member (J); Shyam Babu Gautam,
Member (T)

Bench : Division Bench

Advocate : Ryan Dsouza, Prerana

Final Decision : Disposed Of

Judgement

IA 33/2023

This is an Interlocutory Application filed by the Financial Creditor, PIRAMAL CAPITAL & HOUSING FINANCE LIMITED, for withdrawal of the main Company Petition bearing CP (IB) No. 121 of 2022, contending that the Financial Creditor is no more inclined to prosecute the pleadings in the main Company Petition further. Ld. Counsel for the Applicant, on instructions, submits that the Financial Creditor has shown desire to withdraw the main Company Petition unconditionally; hence the present Interlocutory Application has been filed. Ld. Counsel for the Respondent is also present and has stated no objection for unconditional withdrawal of the main Company Petition.

As the Financial Creditor is no more interested to prosecute the matter and to prolong the matter further, this Bench allows the present Interlocutory Application bearing IA No. 33 of 2023, thereby allowing the Applicant, Financial Creditor of the Corporate Debtor, to withdraw the main Company Petition bearing CP (IB) No. 121 of 2022. Resultantly, the main Company Petition bearing CP (IB) No. 121 of 2022, is disposed of as allowed to be withdrawn. File be consigned to record.