

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency)No. 1419 of 2019

IN THE MATTER OF:

Sanjay Kumar Ruia

.....Appellant

Vs.

The Catholic Syrian Bank & Ors.

.....Respondents

Present :

For Appellant: Ms. Pallavi, Ms. Zinneha Mehta, Advocates

**For Respondents: Ms. Udit Singh, Mr. Siddharth, Advocates for
R-1 and R-2**

O R D E R

09.12.2019 - This appeal has been preferred by 'Mr. Sanjay Kumar Ruia' – 'Resolution Professional' against the order dated 19th September, 2019 passed by the Adjudicating Authority ('National Company Law Tribunal') Mumbai Bench, Mumbai whereby an application u/s 12A approved by the 'Committee of Creditors' with more than 90% of voting share has been accepted and petition u/s 9 of the 'I&B' Code has been allowed to withdraw.

Learned Counsel appearing on behalf of Appellant submits that though the petition has been allowed to withdraw, no decision has been taken with regard to fee and cost incurred by the Appellant.

....contd.

Having heard learned counsel for the parties, we are not inclined to interfere with the impugned order dated 19th September, 2019 and allow the Appellant to move an application before the Adjudicating Authority u/s 60(5) of the 'I&B' Code for determination of his fee and cost, if any, incurred.

We are not expressing any opinion with regard to the claim of the Appellant. The appeal stands disposed of. No costs.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansilal Bhat]
Member (Judicial)

[Justice Venugopal M.]
Member (Judicial)

ss/sk