

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 576 of 2018

IN THE MATTER OF:

Mridula Agarwal

...Appellant

Vs

Mehndipur Balaji Agriextensions Pvt. Ltd.

....Respondent

With

Company Appeal (AT) (Insolvency) No. 577 of 2018

IN THE MATTER OF:

Manoj Kumar Agarwal

...Appellant

Vs

Mehndipur Balaji Infra Developers Pvt. Ltd.

....Respondent

Present:

For Appellant: Mr. Ayush Sharma, Advocate.

For Respondent: Mr. Surjan Singh Shekhawat and Mr. Ravindra Kumar Singh, Advocates.

O R D E R

08.02.2019: Appellant – ‘Mridula Agarwal’ filed application under Section 7 of the I&B Code for initiation of Corporate Insolvency Resolution Process against ‘M/s Mehndipur Balaji Agriextensions Pvt. Ltd.’ (Corporate Debtor). It was dismissed by the Adjudicating Authority (National Company Law Tribunal), Allahabad Bench on 5th April, 2018.

2. ‘Manoj Kumar Agarwal’ filed an application under Section 7 for initiation of Corporate Insolvency Resolution Process against ‘M/s Mehndipur Balaji Infra Developers (P) Ltd.’ (Corporate Debtor). The Adjudicating Authority (National Company Law Tribunal), Allahabad Bench by impugned order dated 5th April, 2018 dismissed the application.

3. In both the appeals as common question of law was involved, notices were issued and placed for hearing under caption 'for admission (after notice)'.

4. Learned counsel appearing on behalf of the Appellant 'Mridula Agarwal' in Company Appeal (AT) (Insolvency) No. 576 of 2018 submits that the parties have now reached settlement on 6th February, 2019. This is also accepted by Mr. Surjan Singh Shekhawat, learned counsel appearing on behalf of the Respondent 'M/s Mehndipur Balaji Agriextensions Pvt. Ltd.' (Corporate Debtor).

5. In the case of 'Manoj Kumar Agarwal', Company Appeal (AT) (Insolvency) No. 577 of 2018, it is also informed that the parties have settled the matter on 6th February, 2019. It is also accepted by learned counsel appearing on behalf of 'M/s Mehndipur Balaji Infra Developers (P) Ltd.' (Corporate Debtor).

6. In view of the agreements both dated 6th February, 2019 reached between the parties no further order is required to be passed. Parties to the concerned agreement will abide by the terms and conditions of the agreement. Both the appeals stands dismissed with aforesaid observations.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

am/sk

Company Appeal (AT) (Insolvency) No. 576 of 2018 and 577 of 2018.