

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Company Appeal(AT)(Insolvency) No. 280 of 2020**

IN THE MATTER OF:

Mr. Biswanath Paul **...Appellant**

Vs

Santosh Devi Tibrewala @ Tibrewala & Anr. **....Respondents**

Present:

For Appellant: Mr. Kumar Sumit, Mr. Rajendra Beniwal and Mr. Chirag Gupta, Advocates

For Respondents: Mr. Rauf Rahim, Mr. Ali Rahim and Mr. Sandip Kumar Kejriwal (RP), Advocates for Respondents.

**O R D E R
(Through Virtual Mode)**

16.02.2021 Heard learned Counsel for the Appellant in I.A. No. 3030 of 2020. Learned Counsel for the Appellant submits that the parties have settled their disputes on 16.06.2020 and thereafter moved the Application under Rule 11 read with Section 12A of Insolvency and Bankruptcy Code, 2016 for withdrawal of the petition. However, the learned Adjudicating Authority declined to pass the order because the Appeal is pending before this Appellate Tribunal. In view of the aforesaid facts, the Appellant is seeking withdrawal of this Appeal. Respondents have no objection.

So, the I.A. No. 3030 of 2020 in this Appeal is allowed and the Appeal is disposed of as withdrawn with the liberty to the parties to approach the learned Adjudicating Authority for passing order with regard to settlement.

No orders as to cost.

**[Justice Jarat Kumar Jain]
Member (Judicial)**

**(Kanthi Narahari)
Member(Technical)**