

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
Company Appeal (AT) (Insolvency) No. 81 of 2021**

**In the matter of:**

**Manoj Chaudhary**

**....Appellant**

**Vs.**

**Sarvesh Kashyap**

**....Respondent**

**Present:**

**Appellant: Mr. Nishant Kishore, Mr. Akash Kumar, Advocates.**

**Respondent:**

**ORDER**

**(Through Virtual Mode)**

**11.02.2021:** After hearing learned counsel for the Appellant for a while, we find that the appropriate course for the Appellant was to move a properly constituted application through proper mechanism as envisaged under Section 12A of the Insolvency and Bankruptcy Code, 2016 ("I&B Code" for short) read with the relevant Regulations.

Faced with this situation, Mr. Nishant Kishore, learned counsel for the Appellant offered to withdraw the appeal. The appeal is accordingly dismissed as withdrawn. This order, however, shall not preclude the Appellant from moving a properly constituted application under Section 12A of the 'I&B Code', if any right subsists in him, through proper mechanism.

**[Justice Bansi Lal Bhat]  
Acting Chairperson**

**[Dr. Ashok Kumar Mishra]  
Member (Technical)**

**[Dr. Alok Srivastava]  
Member (Technical)**

**AR/g**