

**NATIONAL COMPANY LAW APPELLAT TRIBUNAL****NEW DELHI****COMPANY APPEAL (AT)(INSOLVENCY) No.105/2019****In the matter of:**

Mohan Kumar Chirimar,  
S/o Shri Krishan K Chirimar,  
R/o 5, Lovelock Place, Ballygunge,  
Kolkata 700019 West Bengal

Appellant

Vs

Indian Base Metals Co Ltd,  
34, Ganesh Chandra Avenue,  
4<sup>th</sup> floor,  
Kolkata Hare Street,  
Kolkata 700013

Camellia Tea Group Pvt Ltd,  
Through:Mr Rajesh Keshri, IRP  
5F, Park Plaza,  
H. Park Street,  
P.S. Park Street  
Kolkata 700016

Respondent

Present: Mr. Manisha Chaudhary, Advocate.

Mr. Rajinder Singhvi, Ms Arundhati Chakraborty, Advocates for Respondents.

**JUDGMENT**

**30.04.2019**- Learned counsel for the appellant submits that the claim of the respondent, who happened to be the only financial creditor has been settled and the Learned Adjudicating Authority (National Company Law Tribunal), Kolkata has been approached for recording of settlement and passing of appropriate orders. Form FA submitted by learned counsel for respondent pertaining to withdrawal of application under Section 7 of Insolvency &

Bankruptcy Code, 2016 moved before the Adjudicating Authority is taken on record. In view of this development learned counsel for appellant seeks to withdraw the appeal. The appeal is accordingly disposed off as withdrawn.

**(Justice Bansi Lal Bhat)**  
**Member (Judicial)**

**(Mr. Balvinder Singh)**  
**Member (Technical)**

**Bm/nn**