NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT)(Insolvency) No. 599 of 2018

IN THE MATTER OF:

Nizamiya Construction Pvt. Ltd. **...Appellant**

Vs

Thyssenkrupp Industries India Pvt. Ltd.. **....Respondent**

Present:

For Appellant: **Mr. Rajiv Kumar, Mr. Sukumar, Mr. D.P. Mohanty and Mr. A.K. Prajapati, Advocates.**

For Respondent:

O R D E R

01.10.2018: Learned Counsel for the Appellant submits that some errors have crept in in the body and prayer clause of the appeal manifesting into technical defects which may ultimately prove fatal. In the circumstance, he prays for withdrawal of the appeal with a liberty to file fresh one on the same cause of action.

After hearing learned Counsel for the Appellant, this Appellate Tribunal is of the view that it would be appropriate to allow the Appellant to withdraw the appeal giving him liberty to file fresh one on the same cause of action. The appeal is accordingly dismissed as withdrawn with liberty as prayed for. The appeal may be filed within two weeks on the same cause of action.

Disposed off.

[Justice Bansi Lal Bhat]
Member (Judicial)

Akc/Sk