

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Ins) No.272 of 2019

IN THE MATTER OF:

Sanjay Garg

...Appellant

Versus

Tristar Global Infrastructure Pvt. Ltd.

...Respondent

For Appellant: Shri Rohit Bansal, Advocate

For Respondent: Shri Hemant Dixit, Advocate

ORDER

27.09.2019 Counsel for Appellant states that against Respondent - Tristar Global Infrastructure Pvt. Ltd., another Application under Section 7 of Insolvency and Bankruptcy Code, 2016 (IBC - in short) having number CP-IB-429/ND/2019 has already been admitted by the Adjudicating Authority (National Company Law Tribunal, New Delhi Bench – III) on 28th August, 2019. The Counsel states that the Appellant has already filed claim before the IRP in that CIRP proceeding. Shri Rohit Bansal – Counsel for the Appellant states that he has directions to withdraw this Appeal with the request to this Tribunal that IRP in the proceeding should entertain the claim made by the Appellant uninfluenced by the present Impugned Order.

We dispose of the Appeal as withdrawn with liberty to the Appellant to pursue his claim before IRP in the CIRP proceeding, which has been initiated at the behest of Punjab National Bank. The IRP will consider the claim of the

Appellant uninfluenced by the Impugned Order which rejected his Application under Section 9 of IBC.

With above observations, the Appeal stands disposed of.

[Justice A.I.S. Cheema]
Member (Judicial)

[Kanthi Narahari]
Member (Technical)

/rs/gc