

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) (Ins.) No. 322 of 2017**

**IN THE MATTER OF:**

**Sarash Exports Services Pvt. Ltd.  
M-7, Greater Kailash Part-I  
New Delhi-110048**

**....Appellant**

**Vs**

**Toll Global Forwarding (India) Pvt. Ltd.  
Unit No. 402, 4<sup>th</sup> Floor  
Signature Tower  
South City Phase-I  
Gurgaon, Haryana-122001**

**....Respondent**

**Present:**

**For Appellant: Ms. Gauri Rishi and Ms. Srishti Juneja,  
Advocates.**

**For Respondent: Mr. Anuj Mirdha, Advocate  
Mr. Rakesh Wadhwa, IRP for Respondent no.2.**

**ORDER**

**09.01.2018:** Appellant has filed application for substitution of Mr. Sanjay Tiwari as the appellant and M/s Sarash Exports Services Pvt. Ltd. as second respondent. This has been done in terms of order dated 5<sup>th</sup> January, 2018 passed in these appeal proceedings. The application I.A. No. 14/2018 is taken on record and Mr. Sanjay Tiwari is substituted as appellant in place of the Sarash Exports Services Pvt. Ltd. which stands transposed as second respondent.

Joint application being I.A. No. 1023/2017 has been filed by learned counsel for the parties on behalf of the appellant and respondent operational

creditor for disposal of the appeal on the ground that the parties have arrived at an amicable settlement with respect to their pending disputes. The application is taken on record. Having regard for the fact that the controversy involved at the bottom of the lis has been resolved and pending disputes have been amicably settled, it would be appropriate to dispose of the instant appeal in the light of amicable settlement as parties claim to be no more at issue.

It is brought to the notice to this Appellate Tribunal that there is no further claimant in the dispute that had arisen between the appellant and the only respondent which stands settled. In view of the amicable settlement between the parties the appeal is disposed off. Liberty is given to the appellant to approach this appellate forum in case any issue remains outstanding in this Appeal.

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

Sh/nn