
ONE PAGE # 27- Real Link Engg (I) Pvt Ltd Vs Marikko Industrial Chemicals
Withdrawal Application ought to be submitted to IRP in Form FA
Court: NCLT Chennai & NCLAT Chennai Bench AT# 47/2021 Dt 08.06.2021

1. Facts of the Case:

a. Appeal was filed by the promoter of CD aggrieved by the admission of Sec 9 application by NCLT.

2. Discussions by NCLAT

a. Section 9 application filed by Marikko Industrial Chemicals against CD, Real Link Engg (I) Pvt Ltd.

b. Settlement was arrived by CD & compromise memo entered into between parties. OC authorised IRP to file the withdrawal application & form FA was submitted before NCLT.

c. As per Reg 30-A of CIRP Regulations, withdrawal application ought to be submitted to IRP in Form FA.

3. Judgment by NCLAT:

a. In view of the fact that the Appellant and Respondent had amicably settled the dispute between them and compromise memos are entered into and the CD seeks permission to withdraw the instant appeal, acceding to his request NCLAT dismisses the instant appeal as withdrawn with no costs.

b. NCLT to take up the withdrawal application filed through IRP and to dispose the same as expeditiously as possible, in accordance with law.

-MS Mano Ranjani

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