NATIONAL COMPANY LAW TRIBUNAL MUMBAI BENCH, COURT-II

15. IA 2522/2022, IA 2677/2021-12A, IA 2160/2021, IA 2161/2021, IA 2163/2021, IA 2166/2020, IA 2167/2021, IA 2168/2021, IA 2169/2021, IA 2172/2021, IA 2173/2021, IA 2174/2021, IA 2176/2021, IA 2086/2021, IA 2122/2021, IA 2124/2021, IA 2137/2021, IA 2201/2021 IN C.P.(IB)/3657(MB)2018

CORAM:

SHRI SHYAM BABU GAUTAM JUSTICE P. N. DESHMUKH (Retd.)
HON'BLE MEMBER (T) HON'BLE MEMBER (J)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 25.01.2023

NAME OF PARTIES: - Naresh Jain Suspended Director of Monotype India Ltd

V/s

Purusottam Beheram IN THE MATTER OF Yaduka Financial Services Ltd V/s Monotype India Ltd.

APPEARANCES: -

FOR THE APPLICANT: Adv. Raina Birla- Erstwhile Management

FOR THE RESPONDENT: (PCA) Ayush J Rajani - RP

Adv. Kunal Kanungo for Suspended Directors.

Section: 60(5) U/s 7 of Insolvency and Bankruptcy Code, 2016

ORDER

The matter is taken up through Virtual Hearing (VC).

IA-2677/2021 – This Application is filed by Mr. Purusottam Beheram Resolution Professional for the Corporate Debtor M/s Monotype India Limited, under the provisions of Section 12A of the Insolvency and Bankruptcy Code, 2016 read with Regulation 30A(5) of the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process of Corporate Persons Regulations, 2016) placing on record the

Settlement Deed entered on 29.09.2023 between Financial Creditor (Original Applicant) and Suspended Director. Mr. Naresh Manakchand Jain, Suspended Director of M/s Monotype India Limited by the said Settlement Deed, on behalf of the Corporate Debtor has agreed to make a payment of a lump sum amount of Rs. 4,30,00,000/- (Rupees Four Crore Thirty Lakhs only) by way of Settlement Amount towards full and final settlement of the dispute. Counsel appearing for the Suspended Director also confirmed the contents of the Settlement Deed so as the Resolution Professional. Since in terms of the Settlement Deed money has already been paid to the Financial Creditor. Further the and also Counsel appearing for the Resolution Professional submitted that there is nothing due and payable with regard to CIRP costs. Hence, taking note of the submissions and on careful examination of the contents of the Application, this Bench is satisfied. Accordingly, Application under section 12A of the Insolvency and Bankruptcy Code, 2016 be allowed. In view of the above, IA-2677/2021 is allowed and disposed of. Consequently the Company Petition No. C.P.(IB)/3657(MB)2018 stands closed. All the pending IA's/MA's in this Company Petition becomes infructuous hence stands dismissed.

Sd/-SHYAM BABU GAUTAM Member (Technical) Sd/-JUSTICE P. N. DESHMUKH Member (Judicial)

Aarti