NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

203. IA/5178/2025 C.P. (IB)/478(MB)2025.

IN THE MATTER OF
Tata Power Ev Charging Solutions Limited … Petitioner
Vs
Cab-Eez Infra Tech Limited … Respondent

U/s 9 of the Insolvency and Bankruptcy Code, 2016

Order Delivered on 02.02.2026

CORAM:
SH. NILESH SHARMA
MEMBER (J)

SH. CHARANJEET SINGH GULATI
MEMBER (T)

Appearance through VC/Physical/Hybrid Mode:
For the Financial Creditor: Adv. Vividh Tandon (PH)
For the RP: Adv Rohit Gupta a/w Adv Maulik Chokshi (VC)

For the Suspended Directors: Senior Adv. Gaurav Joshi, Adv. Abha Patel, Adv. Rubina Khan (PH)
For the Respondent: Adv. Surjendu Sankar Das, Adv. Annie Mittal and Adv. Yoovika Toor, (VC)

ORDER

IA/5178/2025: This IA has been filed by the IRP under Section 12A seeking withdrawal of the Company Petition 478/2025. The matter had come up for our consideration on 28.11.2025 and thereafter, on 08.01.2026. On 08.01.2026, the following order was passed:

> *"IA/5178/2025: This IA had come up for our consideration on 11.11.2025, which is filed under Section 12A, seeking withdrawal of the Company Petition 478 of 2025. Learned counsel for the Applicant has taken us to Page-83 of the IA wherein claim has been received from the 7 Financial Creditors and 1 Operational*

Creditor. Learned counsel for the IRP and counsel for the Corporate Debtor who has logged in through VC submits that they are in process of obtaining the NoC from the Creditors and seeks liberty to place on record by way of Additional Affidavit within one week. Let the same be done within one week. List this IA for further consideration on 08.12.2025.

Incompliance thereof, two Affidavits have been filed, however, they contain factual inaccuracies, accordingly, Ld. Counsel for the RP seeks to file a fresh Affidavit incompliance of the aforesaid order. List this IA accordingly for further consideration on 02.02.2026."

Learned Counsel for the Applicant, today has filed an Additional Affidavit and accordingly, submits that there were total Ten Financial Creditors, out of which nine Financial Creditors constituting 94.57% in value have given their no objection for the proposed withdrawal. Learned Counsel also submits that there were seven Operational Creditors including the Petitioner in the CP, out of which, three have given the no objection for the withdrawal of the Company Petition and the petitioner itself has entered into a consent term with the Corporate Debtor. Learned Counsel, accordingly, submits that the present IA has been filed in terms of Section 12A by the IRP, the Form FA has been filed and in view of the consents of the Financial Creditors of 94.57% in value, withdrawal sought may be allowed as it is in compliance with the law as also of the Judgment of the Hon'ble Supreme Court in the case of "***GLAS Trust Company LLC v. BYJU Raveendran and Ors., (2024) ibclaw.in 275 SC in Civil Appeal No. 9986 of 2024 with Special Leave Petition (C) No. 21023 of 2024***."

We have considered the facts of the case, submissions of the Learned Counsel for the applicant and note that the application has been filed by the IRP, the FA has been obtained from the Petitioner/Operational Creditor and by way of Additional Affidavit dated 02.02.2026, No Objection Certificates obtained from nine Financial Creditors constituting 94.57% of the total Financial Creditors and three Operational Creditors as tabulated at "Exhibit Annexure-A Colly" has been placed on record.

In view of such facts and submission of the Learned Counsel for the Applicant, this IA is **allowed** and the Company Petition 478/2025 is **dismissed as withdrawn.**

Sd/-
CHARANJEET SINGH GULATI
Member (Technical)

Sd/-
NILESH SHARMA
Member (Judicial)

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