

**IN THE NATIONAL COMPANY LAW TRIBUNAL,**  
**NEW DELHI BENCH, COURT-III**  
**(SPECIAL BENCH)**

**ITEM No. 1**  
**IB-257(ND)/2025**  
**IA-455/2026**

**IN THE MATTER OF:**

Assets Care & Reconstruction Enterprise Limited ... Petitioner/Applicant

Versus

Just About Movies Private Limited ... Respondent

**Section 7 of the Insolvency and Bankruptcy Code, 2016**

**Order Delivered On: 09.06.2026**

**CORAM:**

**SHRI BACHU VENKAT BALARAM DAS,**  
**HON'BLE MEMBER (JUDICIAL)**

**SMT. REENA SINHA PURI,**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

**For the Applicant** : Mr. Arvind Nayar, Sr. Adv.

**For the Respondent** : Mr. Karan Kohli Adv.

**HYBRID HEARING (PHYSICAL & VC)**

**ORDER**

This matter is listed for clarification.

It is noted that the Hon'ble NCLAT, vide order dated 07.01.2026, has directed that the present Application under Section 12A of the Insolvency and Bankruptcy Code, 2016 be decided in accordance with the law laid down by the Hon'ble Supreme Court in *GLAS Trust Company LLC v. Byju Raveendran*.

In *GLAS Trust Company LLC v. Byju Raveendran*, the Hon'ble Supreme Court held (Paragraph 63.2) that even in cases falling under Regulation 30A(1)(a), "the NCLT must hear the parties concerned and consider all relevant factors before approving or rejecting the application for withdrawal" under Section 12A of the Code.

Further, the Hon'ble NCLAT in *Suyog Suryakant Talekar v. Trivenimudrai Project Ltd. and Anr.* has elucidated the scope of "all relevant factors" (Para 7) and held that the Adjudicating Authority is not confined merely to the settlement inter se the applicant and the petitioning creditor, but is required to undertake a

broader examination, inter alia, of the financial position and solvency of the Corporate Debtor, the status of other creditors, and the overall impact of the proposed withdrawal on the insolvency framework, having regard to the fact that CIRP proceedings are in rem, once CIRP is admitted it is not a private dispute anymore and affects all creditors collectively.

In view of the aforesaid settled position, this Adjudicating Authority is of the considered view that the material presently on record is insufficient to enable an informed adjudication of the present application under Section 12A of the Code. Accordingly, the Applicant is directed to place on record the following documents and disclosures:

- i. Duly executed settlement agreement;
- ii. Details of the source and flow of funds proposed/used for settlement, supported by documentary evidence;
- iii. Comprehensive financial disclosure of the Corporate Debtor, along with a complete set of financial documents including financial statements for the FY 2021-2022, 2022-2023, 2023-2024, and 2024-2025; notes to account, Auditor's Report, and observations, if any, as well as any material particulars demonstrating its solvency, creditworthiness, and asset-liability position;
- iv. List of all creditors as on the date of CIRP, indicating the amount of debt owed to them;
- v. Disclosure of any adverse financial classification, including whether the Corporate Debtor has been declared NPA, wilful defaulter, or fraud by any financial creditor; and if so, whether more than one year has passed since such classification.
- vi. Details of pending litigations, recoveries, decree for realisation of money, or anything that has the force of a decree against the Corporate Debtor;
- vii. Statement on the impact of the proposed settlement on stakeholders, including other creditors, in light of the *in rem* nature of CIRP;

Let the needful be done by way of an affidavit, within one week from the date of this order.

List the matter on **11.06.2026**.

Sd/-  
**(REENA SINHA PURI)**  
**MEMBER (TECHNICAL)**

Sd/-  
**(BACHU VENKAT BALARAM DAS)**  
**MEMBER (JUDICIAL)**