

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI

COURT-III

CP-165/213/ND/2018

In the matter of :

Mr. Nitin Bansal and Anr.

.. PETITIONER

Vs.

Arjun Sharma & Ors.

..RESPONDENT

SECTION

Under Section 213

Order delivered on 22.8.2019

Coram :

Sh. R. Varadharajan,
Hon'ble Member (Judicial)
Shri Kapal Kumar Vohra,
Hon'ble member (Technical)

For the Petitioner /Op. Creditor :-

For the Respondent/Corporate Debtor :

ORDER

Ld. Counsel for the petitioner as well as Ld. Counsel for Respondent-1, R-2 & R-3 are present. Ld. Counsel for the respondent represents that in relation to the compliance of Order dated 05.7.2019 for filing the response of report of ROC, the same was to be filed by the petitioner and e-filing has been done only yesterday (21.8.2019). Perusal of the Order dated 05.7.2019 shows that upon the report of ROC being made available, the petitioner was granted 3 weeks time to file its response to the report of ROC. In the circumstances, stated in the said order, a query was posed as to when the order/report was made available to the petitioner, it is submitted that he has only limited instructions and it is not known when the report was filed. This explanation given by Ld. Counsel for the petitioner is very strange whereas the petitioner was fully aware that this matter has been listed on 22.8.2019 i.e. today ^{and} response to the ROC report to have been filed within the said period of 3 weeks from 05.7.2019. In view of lack of diligence on the part of the petitioner, we are constrained to dismiss this petition.

-Sd-

(K.K. Vohra)
MEMBER (TECHNICAL)

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-Sd-

(R. VARADHARAJAN)
MEMBER (JUDICIAL)

Supt