

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
BENGALURU BENCH, BENGALURU**

CP No. 500/2018  
U/s 244 of the Companies Act, 2013  
R/w Rule 34 of NCLT Rules, 2016

In the matter of

**Piyush Periwal & Ors.  
No.12E, Judges Court Road  
Alipore  
Kolkata 700 027**

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**Petitioner**

**Versus**

**Periwal Hitech Mouldings Pvt. Ltd. & Ors.  
Floor, 2<sup>nd</sup> Cross  
Nandi Durga Road, Jayamahala  
Bengaluru 560 046**

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**Respondent**

**Coram:**

1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
2. Hon'ble Shri Ashok Kumar Mishra, Member (Technical)

**Date of Order: 12<sup>th</sup> September, 2018**

**Parties / Counsels Present:**

For the Petitioner:

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NIL

**ORDER**

Per: **Rajeshwara Rao Vittanala, M (J)**


- 1) None appeared for the Petitioner. The Petition is filed by Shri Piyush Periwal, Shri Chandrakanta Periwal, Smt. Madhulika Periwal and Smt. Malvika Periwal against M/s. Periwal Hitech Mouldings Private Limited and Another (Respondent), U/s 244 of the Companies Act, 2013 R/w Rule 34 of the NCLT Rule, 2016 by inter-alia seeking for leave to be granted U/s 244 of the Companies



Act, 2013 to get waived off all the pre-requisites for filing the company petition U/s 241 of the Companies Act, 2013, etc.

- 2) The Registry has allotted Diary No. 1041/2018, and on scrutiny of the Petition, the office has found several defects in the Petition, and the same was communicated to the Counsel/PCS, through email for compliance by granting 10 days time to comply with the objection and to submit the same in the Registry. But so far the Counsel/PCS has not taken any steps to rectify the office objections.
- 3) Since the Petitioner or its Representative failed to comply with the office objection, the case was posted for compliance of office objections on 04.09.2018. On 04.09.2018 also, neither Counsel nor any Representative appeared to represent the case before the Tribunal. Therefore, the case is directed to be posted it under the caption "For dismissal" on 12.09.2018. Today also none appears for the Applicants/Petitioners. Therefore, it shows that the Applicants/Petitioners are not interested to prosecute the case further, and thus it is liable to be rejected.
- 4) Hence, CP No. 500/2018 is hereby rejected for non-prosecution of the case and for non-compliance of office objections.

  
**(ASHOK KUMAR MISHRA)**  
**MEMBER, TECHNICAL**

  
**(RAJESWARA RAO VITTANALA)**  
**MEMBER, JUDICIAL**