

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

C.P No.510/2018
U/s 252 (3) of the Companies Act, 2013
R/w Rule 87(A) of NCLT (Amendment)
Rules, 2016

In the matter of

Mr.Vinay Padmakar Apte and Others,
Representing Shareholders of
Monument Properties Private Limited,
Registered Office at: CTS 851,
Laxmi Nivas Goda Bole mala,
Bijapur – 586 101

... Petitioner

Versus

The Registrar of Companies,
Karnataka
2nd Floor, E-Wing, Kendriya Sadan,
Koramangla,
Bengaluru-560034.

..... Respondent

CORAM: Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
Hon'ble Dr. Ashok Kumar Mishra, Member (Technical).

Date of Order: 14th September, 2018

Parties / Counsel Present:

For the Petitioner: NIL

ORDER

Per: **Hon'ble Dr. Ashok Kumar Mishra, Member (Technical)**

- 1) None appeared for the Petitioner. Vinay Padmakar Apte and Others representing Shareholders of Monument Properties Private Limited

Company U/s 252(3) of the Companies Act, 2013, by inter-alia seeking direction to the Respondent to restore the name of Company in the Register of Companies maintained by the Registrar of Companies, Karnataka as if its name had not been struck off from the rolls of the Register.

- 2) The Registry has allotted Diary No. 2395/2018, and on scrutiny of the Petition on 25.05.2018, the office has found several defects in the Petition, and the same was communicated to the Counsel/PCS, for compliance by granting 7 days time to comply with the objection and to submit the same in the Registry. The said office objections along with Petition copy were returned back to the PCS/Counsel on 25/05/2018, but so far the/Counsel PCS has not taken any steps either to resubmit the Petition or to rectify the office objections.
- 3) Since the Petitioner or its Representative failed to comply with the office objections and to resubmit the Petition, the case was posted for compliance of office objections on 05/09/2018. On 05/09/2018 also, neither Counsel nor any Representative appear to represent the case before the Tribunal. Therefore, the case is directed to be posted under the caption "**For dismissal**" on 14/09/2018". Today also none appears for the Applicant/Petitioner. Therefore, it shows that the Applicant/ Petitioner is not interested to prosecute the case further, and thus it is liable to be rejected.
- 4) Hence, C.P No. 510/2018 is hereby rejected for non-prosecution of the case and non-compliance of office objections.


(DR.ASHOK KUMAR MISHRA)
MEMBER, TECHNICAL


(RAJESWARA RAOVITTANALA)
MEMBER, JUDICIAL