

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

C.P No.493/2018

U/s 252 of the Companies Act, 2013

R/w Rule 87A of NCLT (Amendment) Rules, 2016

In the matter of

**Elstone Tea Estates Limited,**  
No. 9 Mission Road,  
Bangalore- 560027.

**Versus**

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

**Respondent**

**Coram:**

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

**Date of Order: 11<sup>th</sup> September, 2018**

**Parties / Counsels Present:**

For the Petitioner: NIL


**ORDER**

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

- 1) None appeared for the Petitioner. The Company Petition is filed by the Mr. Moideenkunhi Moideenkunhi Kunhimahin, Director of **Elstone Tea Estates Limited** /Petitioner Company U/s 252(3) of the Companies Act, 2013, by inter-alia seeking for directing 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. 3208/2018, and on scrutiny of the Petition on 31.05.2018, the office has found several defects in the Petition, and the same was communicated to the Counsel/PCS, for compliance by granting 10 days time to comply the objection and to submit the same in the Registry. However, the Counsel has neither taken copy of the said office objections nor has taken any steps to rectify the office objections.
- 3) Since the Petitioner or its Representative failed to comply with the office objections, 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 post it under the caption "**For dismissal on 11/09/2018**". 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. 493/2018 is hereby rejected for non-prosecution of the case and non-compliance of office objections.

  
(ASHOK KUMAR MISHRA)  
MEMBER, TECHNICAL

  
(RAJESWARA RAO VITTANALA)  
MEMBER, JUDICIAL