

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

CP No. 502/2018
U/s 252 of the Companies Act, 2013
R/w Rule 87A of NCLT (Amendment) Rules, 2016

In the matter of

Sayi Ores Exports Private Limited,
Post Torke
Kumta Taluk
Uttara Kannada Dist. 581 344

--- **Petitioner**

Versus

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

--- **Respondent**

Coram:

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

Date of Order: 12th 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 Petition is filed by the Member, Shri Gaonkar Sayinath Keshav of **M/s. Sayi Ores Exports Private 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. 1454/2018, and on scrutiny of the Petition on 13.07.2018, 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 with the objection and to submit the same in the Registry. The said office objections were received by the PCS/Counsel on 17.07.2018, 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/Petitioner. Therefore, it shows that the Applicants/Petitioner are not interested to prosecute the case further, and thus it is liable to be rejected.
- 4) Hence, CP No. 502/2018 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