

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI

PRINCIPAL BENCH

C.P. No. 1197/2016

IN THE MATTER OF:

Jainder Kumar Jain

.....Petitioner

v.

Registrar of Companies & Anr.

.....Respondents

**SECTION : UNDER SECTION 433(e)&(f), 434 (1) (a) and 439 (1) (b) of the
Companies Act, 1956**

Order delivered on 26.07.2017

Coram:

**CHIEF JUSTICE M.M. KUMAR
Hon'ble President**

**Deepa Krishan
Hon'ble Member (T)**

For the Petitioner(s) : Shri Devashish Maharishi, Advocate

ORDER

It is pertinent to mention that on 19.04.2017 time was granted to the counsel for the petitioner to comply with the Rules known as Companies (Transfer of Pending Proceedings) Rules, 2016 and the provisions of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016. Thereafter again further time on two occasions were granted by the Registrar vide order dated 01.05.2017 & 16.05.2017 to comply with the aforesaid Rules. However, no step has been taken by the petitioner to comply with the order dated 19.04.2017, 01.05.2017 & 16.05.2017. In any case by virtue of notification dated 29.06.2017 such like petition would have survived upto 15.07.2017. The notification provided



5/1

1
contd.

that if compliance affidavit was not filed by the aforesaid date then such like petitions were to abate. However, liberty has been given to the petitioner to file fresh petition on the same cause of action.

In view of the above, this petition abates and liberty in terms of the notification dated 29.06.2017 is granted to file fresh petition.

— Sd —

(CHIEF JUSTICE M.M. KUMAR)
PRESIDENT

— Sd —

(DEEPA KRISHAN)
(MEMBER TECHNICAL)

26.07.2017
Vineet