

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
BENGALURU BENCH

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TRANSFERRED PETITION No. 95/2016  
IN COMPANY PETITION No.793/2007

DATED FRIDAY, THE 2<sup>nd</sup> DAY OF JUNE, 2017

PRESENT: SHRI RATAKONDA MURALI, MEMBER JUDICIAL  
SHRI ASHOK KUMAR MISHRA, MEMBER TECHNICAL

IN THE MATTER OF COMPANIES ACT 1956, section 111A  
AND  
IN THE MATTER OF DONOMAN INTERNATIONAL PANAMA  
AND

IN THE MATTER OF VENLON ENTERPRISES LIMITED, MYSORE

Donoman International Panama, S.A.,  
Via Tocumen, Los Diamantes,  
Panama City, Republic of Panama.

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Petitioner

Vs.

1. Venlon Enterprises Limited,  
20(P), Hunsur Road,  
Belavadi Industrial Area,  
Mysore 570 018, Karnataka.
2. Krishna Enterprises Limited,  
British Virgin Islands,  
M/s. Trident Trust Company (BVI) Ltd.,  
Trident Chambers, Wickhams Car,  
P.O. Box No.146, Road Town, Tortola,  
British Virgin Islands.
3. Mr. Chand Daulatram Datwani,  
Chairman & Managing Director,  
Venlon Enterprises Limited,  
9 A, Nibbana annexe, Pali Hill Road,  
Bandra (W), Mumbai – 400 050.
4. Mr. Arun Daulatram Datwani,  
1-2 – Bu Ameem Building,  
Umm Hurair Road, Near GPO Karama  
PO Box 6561, Dubai,  
U.A.E.

5. Mr. G.D. Ramarao,  
The Compliance Officer,  
Venlon Enterprises Limited,  
20(P), Hunsur Road,  
Belavadi Industrial Area,  
Mysore 570 018, Karnataka.

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Respondents

COUNSELS PRESENT:

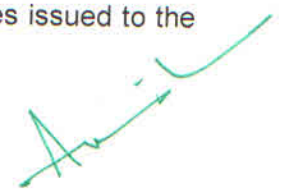
1. M/s. J. Sagar Associates,  
Advocates & Solicitors,  
2<sup>nd</sup> Floor, Frontline Grandeur,  
14, Walton Road,  
Bangalore – 560 001.  
For R-1, 3, 4 and 5.
2. Shri C.K. Nandakumar,  
Advocate,  
No.67/3/A-1, Ground Floor, 4<sup>th</sup> Cross,  
Lavelle Road, Bangalore – 560 001.  
For R-2.

ORDER

This Petition was originally filed before the Company Law Board, southern Region, Chennai, and numbered as C.P. No.793/2007, seeking the relief of rectification of the Register of Members of Respondent Company by removing the name of 2<sup>nd</sup> respondent as a member of the Company and for rectification of the same by re-entering therein the name of the petitioner as the member of the Company thereby restoring the petitioner company the ownership of 15,375,128 equity shares of the company representing 70.50% of the paid up capital of the company together with any bonus shares/rights shares that might have been subsequently issued/allotted in respect of the same, among other reliefs.

Consequent upon the establishment of National Company Law Tribunal, this Company Petition No.793/2007 was transferred to this Bench by the Company Law Board, Southern Region, Chennai, and the same was re-numbered as T.P. No.95/2016.

Ever since this petition was transferred from the CLB, Chennai, none appeared for the petitioner. In this case, number of times notices are ordered to the petitioner and the counsel appearing for the petitioner. Notices issued could not be served. The notices issued to the

petitioner company is returned with an endorsement that none claimed. This is a case instituted in the year 2007. Even after transfer from CLB, this case had undergone several adjournments only for service of notices to the counsel for the petitioner. It appears that the petitioner company is not showing any interest in the matter. The counsels for respondents are present every time the case is listed.

Notices were ordered to be issued to the petitioner company and its counsel and the same were sent by Regd. Post and also by fax as well as e-mail. But, none appeared for the petitioner company. In spite of number of chances given to the petitioner company and its counsel, nobody appeared for the petitioner company and its counsel. On the other hand, counsels for respondents were attending the Tribunal and requesting the Tribunal to pass necessary orders for non-appearance of the petitioner company and its counsel.

Considering the number of attempts for service of notice on the petitioner company and its counsel and the matter being listed from time to time, yet, nobody appearing for the petitioner company, no purpose will be served if the case is kept pending, this Tribunal has decided to dismiss the petition for non-prosecution. The counsels appearing for the respondents also informed that there is no connected matter pending in the Hon'ble High Court relating to this case.

Keeping all the above factors in mind, this Tribunal has decided to dismiss the petition for non-prosecution and accordingly T.P. No.95/2016 is dismissed for default of non-prosecution.

  
(RATAKONDA MURALI)  
MEMBER (JUDICIAL)

psp.

  
(ASHOK KUMAR MISHRA)  
MEMBER (TECHNICAL)