

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T. C.P. No. 522/(MAH)/2017
CA No.

CORAM:

Present: SHRI M.K. SHRAWAT
MEMBER (J)

SHRI BHASKARA PANTULA MOHAN
MEMBER (J)

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH
OF THE NATIONAL COMPANY LAW TRIBUNAL ON 06.11.2017

NAME OF THE PARTIES: Jaidhir Yadav

V/s

Dunnimaa Engineers and Divers Enterprises Pvt. Ltd.

SECTION OF THE COMPANIES ACT : I & BP Code, 2016.

S. No.	NAME	DESIGNATION	SIGNATURE
--------	------	-------------	-----------

ORDER

C.P. No. 522/I&BC/NCLT/MB/MAH/2017

1. None present.
2. This is Transfer Petition is filed in the Hon'ble High Court under section 433 of the Companies Act for the outstanding debt of Rs. 21,45,519/-.
3. As per the Notification the matter was transferred to NCLT. The matter appeared for the first time on 19.04.2017. None appeared and the matter was adjourned to 21.07.2017. On 21.07.2017 non appeared for the Petitioner and the matter was adjourned to 24.08.2017. On 24.08.2017 none appeared and the matter was adjourned to 11.09.2017. On 11.09.2017 none appeared and for want of time adjourned to 26.09.2017. On 26.09.2017 none appeared and for want of time adjourned to 06.11.2017. Even today none appeared.
4. Even though so many opportunities are granted to the Petitioner none appeared. This shows that the Petitioner is not very keen to pursue the matter.

C.P. No. 522/I&BC/NCLT/MB/MAH/2017

-2-

5. Form No.5 is also not on record which was to be filed on or before 15.07.2017 vide the Notification No. GSR-732 dated 30.06.2017. Since it is an admitted position that the requisite Form is not filed within the requisite time, therefore, this Petition stood Abated. However, Liberty to file Fresh Petition.
6. As a consequence the Petition is liable to be rejected, however, worth to reproduce a paragraph from the latest notification dated 29.06.2017 (F. No. 1/0/2015-CL-V) GSR 732(E) as under :-
"Provided further that any party or parties to the petitions shall, after the 15th day of July, 2017, be eligible to file fresh applications under sections 7 or 8 or 9 of the Code, as the case may be, in accordance with the provisions of the Code."
6. Therefore this Petition is disposed of as Abated. Consigned to the Records.

Sd/-

Bhaskara Pantula Mohan
Member (Judicial)

06.11.2017

ah

Sd/-

M.K. Shrawat
Member (Judicial)