

IN THE NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA

Rest. Application. No. 361/KB of 2017

Coram:

Hon'ble Shri Vijai Pratap Singh, Member (Judicial)

Hon'ble Shri Jinan K. R., Member (Judicial)

In the matter of: The Companies Act, 2013;

And

In the matter of: Sections 241, 242 and 244 and other application provisions of  
the Companies Act, 2013;

And

In the matter of: Mangalmurti Commodeal Private Limited ... Petitioner

Versus

Rupnarayan Vanijya Private Limited & Ors. ... Respondents

ORDER

Per Shri Vijai Pratap Singh, Member (Judicial)

It was noticed to us that Restoration Application No. 361/KB of 2017  
was dismissed by us in default of parties by order dated 22/08/2017. It came  
to our notice that Restoration Application No. 361/KB of 2017 was moved and

mentioned application was also given by the applicant/petitioner on 08/08/2017 wherein permission was sought to mention the aforesaid application before the Bench on 25/08/2017. It also appears from the Scrutiny Sheet of the Office that Dy. Registrar that mentioning application is to be moved on 25/08/2017. Whereas the Office inadvertently listed the mentioning application on 22/08/2017 and when we found that nobody is present then we passed the order of dismissal. Office has inadvertently listed the matter on 22/08/2017 for which petitioner/applicant cannot be liable for this.

In the interest of justice under the provisions of Section 420 of the Companies Act, 2013, we hereby recall our order dated 22/08/2017 and pass order to list the **Restoration Application No. 336/KB of 2017** on **28/08/2017** as 25/08/2017 is a holiday.

Copy of the order may immediately be listed on Website.

Sd/-

(Jinan K.R.)  
Member (Judicial)

Sd/-

(Vijai Pratap Singh)  
Member (Judicial)

Signed on this, the 24<sup>th</sup> day of August, 2017.