

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No.282/(MAH)/2017



CORAM:

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

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 16.11.2017

NAME OF THE PARTIES: Emco Engineering
V/s
Enviiro Bulk Handling Systems Pvt. Ltd.

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

S. No.	NAME	DESIGNATION	SIGNATURE
1	Mr. Ritesh A. Jadhav	Advocate for Res	
2	Anant S. Tripathi	Advocate Petitioner	

ORDER

T.C.P. No.282/I&BC/NCLT/MB/MAH/2017

1. The Learned Representative of both the sides are present.
2. The Petition is transferred from the Hon'ble High Court.
3. Admittedly the factual position is that the requisite Form has not been filed, which was otherwise to be filed on or before 15.07.2017 as per the Notification No. GSR-732(E) dated 29.06.2017.
4. The 1st Proviso of the Notification reads as under :-

"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."

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5. In view the 1st Proviso of the Notification liberty is granted to the Petitioner to file Fresh Petition. But since the requisite Form was not filed within the requisite time this Petition stood Abated.
6. Therefore this Transfer Petition stood abated. Consigned to ~~Records~~

16.11.2017

aah

Sd/-
M.K. Shrawat
Member (Judicial)