

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No. 308/(MAH)/2017
Rest. A. No. 11/2017

CORAM:


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

SHRI BHASKARA PANTULA MOHAN
MEMBER (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 03.11.2017

NAME OF THE PARTIES: Venus International
V/s.
Monotona Tyres Ltd.

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

S. No.	NAME	DESIGNATION	SIGNATURE
18	Ms. Eram Quraishi i/b M/s Kartikaya & Associates	Advocate	

ORDER

Rest. A. 11/2017 In T.C.P. No. 308/I&BC/NCLT/MB/MAH/2017

1. The Learned Representative of the Petitioner is present.
2. Vide para 6 an observation is made in the Order. For ready reference the relevant paragraph is reproduced below :-

"Though number of opportunities were given to the Petitioner to appear but the Petitioner is not serious in pursuing the Petition. As a consequence the Petition is liable to be rejected, however, worth to reproduce the paragraph from the latest notification dated 29.06.2017 (F. No. 1/5/2016-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."

Rest. A. 11/2017 In T.C.P. No. 308/I&BC/NCLT/MB/MAH/2017

3. As per the said Notification all the Matters which were transferred from the Hon'ble High Court stood Abated, if the Petitioner had not filed the requisite Form on or before 15th July, 2017 under the Insolvency Code.
4. The admitted position in this case is that the Petitioner has not filed the requisite Form under the Insolvency and Bankruptcy Code on or before 15.07.2017, therefore, the Order of Dismissal was passed on 31.07.2017 now under challenge. However, a liberty was granted to file Fresh Petition.
5. Hence the Restoration Application No. 11/2017 is Dismissed.

Sd/-

Bhaskara Pantula Mohan
Member (Judicial)

03.11.2017
Ah

Sd/-

M.K. Shrawat
Member (Judicial)