

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SPECIAL BENCH**

Appeal No. 134/2017

IN THE MATTER OF:

Code Technical India Pvt. Ltd.
Vs
Registrar of Companies

.... **APPLICANT / PETITIONER**

.... **RESPONDENT**

SECTION:

Under Section 252 (1)

Order delivered on 16.02.2018

Coram:

**CHIEF JUSTICE (RTD.) M. M. KUMAR
HON'BLE PRESIDENT**

**DEEPA KRISHAN
HON'BLE MEMBER (TECHNICAL)**

PRESENTS:

For the Petitioner(s):-

Mr. Alok Kr. Tripathi, Adv.

For the Respondent(s):-

For the ROC/RD(NR), Delhi

Mr. Manish Raj, Co. Prosecutor

ORDER

Heard learned Practicing Company Secretary.

It is not understood as to how the applicant was misled by listing of the case by mere mistake of one word 'Technical' instead of 'Techcenter'. After all he eventually found that the Code Technical India Pvt. Ltd. is a petition filed by the applicant. If that be so, then the excuse put forward for non appearance on 20.12.2017 is absolutely unacceptable as both these two things cannot stand together. However, learned Practicing Company Secretary has argued that in any case the authorized representative was not in Delhi and could not have appeared and he has requested on that score also the application may be allowed and the appeal may be restored to its original number.

In view of the above we reject the first argument and accept the absent from Delhi as a ground for restoration.

 **VINEET**

For the reason aforementioned, this application succeeds. The order dated 20.12.2017 is recalled and the petition is restored at its original number. However, the same shall be subject to payment of Rs. 10,000/- as cost which may be deposited in the Prime Minister's Relief Fund.

List the main case for arguments on 01.03.2018 before the Principal Bench (Regular).

Sd/-

(M. M. KUMAR)
PRESIDENT

Sd/-

(DEEPA KRISHAN)
MEMBER (TECHNICAL)