

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI

PRINCIPAL BENCH

CP-158/2016

IN THE MATTER OF:

Dehlvi Remedies Pvt. Ltd.

... Applicant/petitioner

Vs.

Registrar of Companies

... Respondent

Order under Section 560(6) of the Companies Act

Order delivered on 31.08.2017

Coram:

**CHIEF JUSTICE (Retd.) M.M.KUMAR
Hon'ble President**

**Ms. Deepa Krishan
Hon'ble Member (T)**

For the Applicant/petitioner : Mr. Ankit Sahni, Advocate

For the Intervener : Mr. Ashok Juneja & Ms. Ritika Shaw, Advocates

ORDER

This is an application for recalling of order dated 22.08.2017 passed by this Tribunal dismissing the petition for non prosecution as counsel for the petitioner was not present. The basic ground for filing the application is that the learned counsel on 25.07.2017 has recorded in his diary a wrong date of hearing. The matter infact was adjourned to 22.08.2017 but the learned counsel for the petitioner recorded the date of hearing to be 23.08.2017. On coming to know about the non listing of the case on 23.08.2017 and after making enquiry it transpired that the petition was dismissed for non

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contd.

prosecution on 22.08.2017 and the application was filed promptly on 25.08.2017.

For the reasons stated in the application particularly in para 6, 7 & 8 thereof, we recall the order dated 22.08.2017 and restore the petition at its original number. Intimation be sent to the office of the Registrar of Companies for restoration of the petition and for noting the date of hearing.

Learned counsel for the petitioner states that no rejoinder is required and the matter be fixed for arguments.

List for arguments on 14.09.2017.

Sd/-

**(CHIEF JUSTICE M.M.KUMAR)
PRESIDENT**

Sd/-

**(DEEPA KRISHAN)
MEMBER(TECHNICAL)**

31.08.2017
Vineet