

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

**CP/CA. No. 642/2016**

**IN THE MATTER OF:**

**M/s Haryana Energy & Fuels Pvt. Ltd.**

.... **PETITIONER**

**Vs.**

**The Registrar of the Company**

.... **RESPONDENT**

**SECTION:**

**Under Section 560(6)**

**Order delivered on 21.07.2017**

**Coram:**

**R. VARADHARAJAN  
HON'BLE MEMBER (JUDICIAL)**

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


**For the Petitioner** :- Mr. Hemant Sharma, Advocate

**For the Respondent** :-

**ORDER**

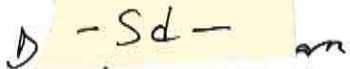
This an application seeking for restoration of CP No. 642/2014 which was dismissed vide order dated 12.05.2017 for "non-prosecution". Learned Counsel for the petitioner states that an error in noting of the dates had crept in, as instead of 12.05.2017 it had been noted as 22.05.2017 and when the matter was listed on 12.05.2017 because of error in the noting of the date wrongly i.e. 22.05.2017, instead of 12.05.2017, the petitioner was absent and the petition was dismissed for non-prosecution.

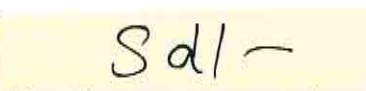
Learned Counsel also represent that the on 22.05.2017 the matter was listed again. However, at the time of hearing learned representative appearing for ROC brought to the notice of this Tribunal the earlier order of dismissal passed on 12.05.2017 and at which point the counsel for the petitioner came to know about the same and in the circumstances, has

  
Deepak Kumar

filed this application under Rule 48 of the NCLT rules, 2016 for restoration. The submission of the petitioner is taken in to consideration. Keeping in view the decision of the NCLT, New Delhi Bench as rendered in Radhey Shyam Sharma Vs Shrimat Mahaveer Buildcon (P) Ltd. & Ors. Reported in Manu/NC/0146/2016 and also taking into consideration that there is no significant objection on the part of the respondent, this application for restoration is allowed as prayed for.

Let the CP be listed on 10.08.2017.

  
(DEEPA KRISHAN)  
MEMBER (TECHNICAL)

  
(R. VARADHARAJAN)  
MEMBER (JUDICIAL)