

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No.74/(MAH)/2015

CORAM:

Present:

SHRI M. K. SHRAWAT
MEMBER (J)

SHRI BHASKARA PANTULA MOHAN
MEMBER (J)

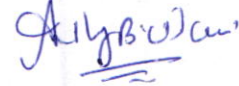
ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 07.11.2017

NAME OF THE PARTIES: Mr. Vinod Muktinath Sharma
V/s.
M/s. Sharma Realty Pvt. Ltd. & ors.

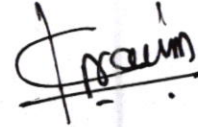
SECTION OF THE COMPANIES ACT: 397/398, 58, 59 of the Companies Act
1956 and 241/242 of the Companies Act, 2013.

S. No. NAME DESIGNATION SIGNATURE

1. Mr. Akshay B. Udeski - Advocate
i/b
M/s Sanjay Udeski and Co.
Adv for Petitioner.



2. Pravin Y. Kamble
Advocate for
Respondents



ORDER

T.C.P. No. 398/I&BC/NCLT/MB/MAH/2017

1. The Learned Representative of the Petitioner is 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."

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

Sd/-

Bhaskara Pantula Mohan
Member (Judicial)
07.11.2017

aah

Sd/-

M.K. Shrawat
Member (Judicial)