

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,  
MUMBAI BENCH, MUMBAI**

**COMPANY PETITION NO. TCP 544/I&BP/NCLT/MB/MAH/2017**

In the matter of section 433 (e), 433 (f), 434 (1)(a) and 434 (1)(c) of the Companies Act, 1956 read with Insolvency & Bankruptcy Code 2016

In the matter of :

**M/s. Ayub Yasin Sunasra,**

Orchid Apartment, 22/6B, Shuklaji Street,

Mumbai – 400 008

: Petitioner

**Versus**

**M/s. Neelkamal Realtors &**

**Builders Private Limited,**

265-E, Bellasis Road, Mumbai Central,

Mumbai - 400 008.

: Respondent

**Order delivered on 04.08.2017**

CORAM

:

1. **SHRI M.K. SHRAWAT**

Member (Judicial)

2. **BHASKARA PANTULA MOHAN**

Member (Judicial).

For the Petitioners : (None)

For the Respondents : (None)

**ORDER dated 04.08.2017**  
**TCP 544/I&BP/NCLT/MB/MAH/2017**

1. None Present from the side of the Petitioner/Creditor.
2. The matter is transferred from the Hon'ble High Court of Bombay pertaining to the provisions of 433(e) of the Companies Act, 1956. On transfer of such Petitions a list of the Transferred Cases was prepared and duly publicized to inform the parties concerned.
3. The matter was earlier listed on 10.07.2017, 21.07.2017, 04.08.2017, however nobody attended on these days.
4. The Procedure of Intimation is three fold i.e.
  - (i) the **first** step is that every day Cause List is always been uploaded on the NCLT Site for Public Information;
  - (ii) the **second** step is that the directions given on hearing is also displayed daily in the Official Site about the decision taken in the Court; and
  - (iii) the **third** step is that the status of the Cause List is also displayed in the official site mentioning the next date of hearing.
5. 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 a 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 15<sup>th</sup> 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".*
6. Hence for want of prosecution, the matter is "**dismissed**".
7. To be consigned to records.

Sd/-

**BHASKARA PANTULA MOHAN**

Member (Judicial).

Date : 04.08.2017

Sd/-

**SHRI M.K. SHRAWAT**

Member (Judicial)