

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

T.C.P. NO.628/I&BCP/NCLT/MB/MAH/2017

In the matter of Sections 433, 434 and 439 of the Companies Act, 1956.

KANIKA KALRA & OTTERS.

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PETITIONERS

Versus

**COWDOWN LAND DEVELOPMENT
PRIVATE LIMITED**

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RESPONDENT

CORAM:

SHRI M.K. SHRAWAT
MEMBER (JUDICIAL)

SHRI BHASKARA PANTULA MOHAN
Member (Judicial)

PRESENT ON BEHALF OF THE PARTIES

None present.

Per : SHRI M.K. SHRAWAT, MEMBER (JUDICIAL)

ORDER

Heard on : 21.08.2017

Pronounced on: 24.08.2017

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 Section 433, 434 and 439 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. A debt of Rs. **84,57,973/-** is outstanding. As happened in the past so many occasions, the matter was listed on 21.04.2017 and thereafter on 05.07.2017. On both these dates none appeared. Therefore, Registry was directed to issue Notice which was sent to the Petitioner on 06.07.2017. Thereafter the matter was adjourned to 21.08.2017 i.e. today but none appeared. Therefore this Petition stands abated as per the Notification No. GSR-732(E) dated 30th June, 2017.
4. The Procedure of Intimation is three fold i.e.
(i) the **first** step is that the every day Cause List is always been uploaded on the NCLT Site for Public Information;

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(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 on 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 this 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. 1/0/2015-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."

- 6 Hence for want of prosecution, the matter is dismissed. Consigned to Records.

Sd/-

Dated: 24.08.2017

Bhaskar Pantulu Mohan
Member (Judicial)

Sd/-

M.K. Shrawat
Member (Judicial)