

NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, MUMBAI

T.C.P. 244/(MAH)/2017

CORAM:

Present:

SHRI M.K. SHRAWAT  
MEMBER (J)

SH. RAVIKUMAR DURAISAMY  
Member (T)


ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF  
THE NATIONAL COMPANY LAW TRIBUNAL ON 28.07.2017

NAME OF THE PARTIES:

Vikas Enterprises & Anr.  
V/s

Enviuro Bulkk Handling Systems Pvt.Ltd.

SECTION OF THE COMPANIES ACT: I & BP Code 2016.

S. No.	NAME	DESIGNATION	SIGNATURE
1)	Dr. Vilas A. Jadhav Attorney for Mr. P. D. Sampat for Respondent	Advocate for Respondent	

**ORDER**

**TCP 244/IBC/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 listed on 03.07.2017 and 28.07.2017. On these dates, nobody from the side of the Petitioner appeared.
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.

(Contd....2.)



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 "**abated**".

7. To be consigned to records.

Sd/-

RAVIKUMAR DURAISAMY  
Member (Technical)

Date : 28.07.2017

M Sd/-

M.K. SHRAWAT  
Member (Judicial)