

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH, MUMBAI
COMPANY PETITION NO. TCP 672/I&BP/NCLT/MB/MAH/2017**

CORAM : **SHRI M.K. SHRAWAT**
Member (Judicial)

In the matter of section 433, 434 and 439 of the Companies Act, 1956 read with
Insolvency & Bankruptcy Code 2016

AND

In the matter of **M/s. Birla Shloka Edutech Limited**,
Registered Office at Industry House,
159, Churchgate Reclamation, Mumbai – 400 020 Petitioner

AND

In the matter of **M/s. BBNC Consultancy Private Limited**,
402, Akansha Asha Nagar, Western Express Highway,
Kandivali (East), Mumbai – 400 101. Respondent

ORDER dated 03.07.2017
TCP 672/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. As happened in the past on so many occasions, the matter was listed on 24.04.2017, and thereafter on 03.07.2017. On these dates, nobody 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.
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 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**".
7. To be consigned to records.

Sd/-

SHRI M.K. SHRAWAT
Member (Judicial)

Date : 03.07.2017