

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

**T.C.P. No. 345/I & BP /NCLT/MB/MAH/2017**

In the matter of Companies Act 1956 as amended;  
AND  
In the matter of Section s 433 (e) and (f) ,434 & 439 pf the Companies  
Act,1956  
AND  
In the matter of M/s. Shreem Soil Developers Pvt. Ltd., a Company  
incorporated under the Companies Act, 1956, having its Registered  
Office at 302, Solitaire Bldg., Shahibaug, Opp. Bombay Garage,  
Ahmedabad – 380 004, Gujarat  
(CIN:U45201GJ2010PTC060267)

**CORAM:**

**Present: M.K.SHRAWAT**  
**MEMBER(JUDICIAL)**

**Between: Dewan Housing Finance Corporation Ltd. : ....Petitioner**

**Versus**

**M/s. Shreem Soil Developers Pvt. Ltd. : ....Respondent**

**Present on behalf of the parties:**

**1) Shivangi Bajoria : ... Advocate for Petitioner**

**ORDER**

**Heard on : 12.04.2017**  
**Pronounced on : 12.04.2017**

- 1. The Learned Representative Ms. Shivangi Bajoria for the Applicant is present.**
- 2. Placed on record the Praeipce dated 12-04-2017 through which she is seeking permission to withdraw the Petition, with the liberty to file the Petition before the Competent Tribunal having the jurisdiction over the matter. That the Petitioner has presented the above captioned matter before the Hon'ble High Court u/s. 433 (e) & (f) and 434 of the Companies Act,1956 as amended for winding up of the Respondent Company i.e. M/s. Shreem Soil Developers Pvt. Ltd on 19<sup>th</sup> September 2016. The**

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3. Petitioner states that the Mumbai Metro branch of the Petitioner Company sanctioned the loan amount of Rs. 45,50,00,00/- as on 31<sup>st</sup> July 2014 to the Respondent Company and the mortgages property is also situated in Mumbai jurisdiction the Petitioner filed the above captioned matter before the Hon'ble Bombay High Court but, since the Registered Office of the Respondent Company is in Ahmedabad the Petitioner due to inadvertence filed the said Petition before the Hon'ble Bombay High Court however, before withdrawing the above captioned Petition the same was transferred to Hon'ble NCLT vide Notification dated 15<sup>th</sup> December 2016 on 1<sup>st</sup> February 2017 and during the transfer period i.e. 15<sup>th</sup> December 2016 to 1<sup>st</sup> February 2017 the Petitioner was unable to withdraw the same and it is only now that the matter has come up before the Hon'ble Lordship board therefore, the Petitioner prays from this Hon'ble Tribunal that the Petitioner be allowed to withdraw the above captioned matter with a liberty to file fresh before the competent Tribunal so as to enable the Petitioner to seek justice.
4. The Liberty is granted. The Petition is dismissed as withdrawn. The Petition be consigned to Records.

Date: 12-04- 2017.

Sd/-  
M.K. SHRAWAT 12/4/17  
MEMBER (JUDICIAL)