

National Company Law Tribunal

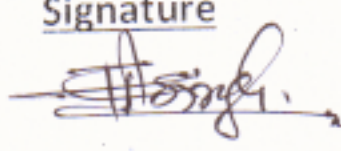
Allahabad Bench

CP NO. (IB) 89/ALD/2017

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 06.11.2017

NAME OF THE COMPANY: ONGC Employees Contributory Provident Fund Trust (ONGC ECPF Trust)

SECTION OF THE COMPANIES ACT/I & B CODE: Sec 79, 14 & 33 and other applicable provisions of the I & B Code 2016

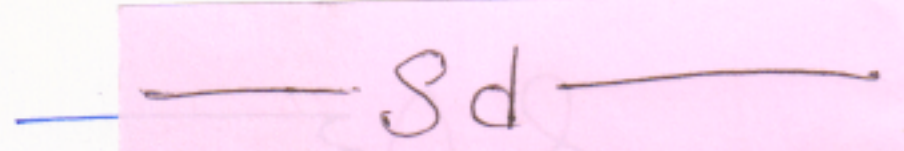
<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
1.	R.P. Singh.	A.W.	Petitioner	
2.				

CP No. (IB) /89/ALD/2017

Shri M.D. Mishra along with R.P.Singh for the petitioner. The case is fixed today for hearing on restoration application. Having heard at length, the learned petitioner counsel confines himself to such submission that present Main petition filed under the I & B Code, (which came to be dismissed in default) may be treated as disposed due to not pressed for. Liberty may be granted to file a fresh petition in accordance with law and with such observation/ direction, the present restoration application can be allowed to be withdrawn and disposed of accordingly.

Having perused the record of the case, we find that present petition came to be dismissed for want of prosecution, and it was not decided on its merits. Hence, it does not operate as *resjudicata* in respect of the Corporate Debtor Company or and among the parties. Therefore, there is no express bar on petitioner to move a fresh application in accordance with law.

With the above stated observation, that present restoration application is allowed to be withdrawn and stands disposed of accordingly.


H.P. Chaturvedi, Member(Judicial)

Date: 06/11/2017

Typed by
Jyoti