

National Company Law Tribunal

Allahabad Bench

CP NO. 6/2016

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 20.12.2017

NAME OF THE COMPANY: Sharp Trade Enterprises Pvt Ltd  
SECTION OF THE COMPANIES ACT/I & B CODE: 560(6) of the companies Act of 1956

Sl. NO.	Name	Designation	Representation	Signature
1.	Shahid Kazim	Adv.	Petitioner	
2.	Krishna Dev Vyas	Adv.	ROC	

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Smt. Dipti Sharma for the petitioner, erstwhile Managing Director of the Company present in person. Shri Krishna Dev Vyas, CGSC representing the ROC.

The petitioner Company through Smt. Dipti Sharma files a memo to this effect that erstwhile Director of the company are willing to withdraw the present appeal/petition to rectify the procedural defects in the present petition and to file a fresh one. Therefore, she seeks liberty from this Court to file fresh Company Petition.

Having heard the submission of learned CGSC and the petitioner in person, we are of the view, that the present memo for withdrawal of the petition can be allowed by granting such liberty to the petitioner for filing a fresh petition/appeal as per procedure and in accordance with law before an appropriate Forum including this Bench.

It is further made clear that, our this order would not operate as a resjudicata for deciding any issue on the merits of the case and our interim observations made in the order dated 30.11.2017 are not to be treated as a conclusive findings on merits. Hence, if a fresh petition is filed in accordance with law, it would be decided on its merits.

Further, the petitioner is at liberty to avail the advantage of the provision of Limitation Act for the purpose of exclusion of the period consume in a legal proceeding.

With the above said observation, the present petition is allowed to be withdrawn and stands finally disposed off.

Date: 20/12/2017

Typed by  
Jyoti  
(Stenographer)

H.P. Chaturvedi,  
Member(Judicial)