

CP NO. 21(ND)/2013  
RT No.05/2016

M/s Ashutosh Finvest Pvt. Ltd. & Ors.

...Petitioners

Versus.

M/s Jagannath Alloys Ltd. & Ors.

...Respondents

Present: None for petitioners.  
Mr. Rajansh Thukral, Advocate for respondents No.1 to 3.  
Mr. Atul Nehra, Advocate for Mr. Taranjit Singh Chadha,  
respondent.

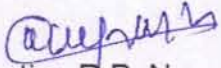
Mr. Rajansh Thukral, Advocate has filed Power of Attorney for respondents No.1 to 3 and Mr. Atul Nehra, Advocate for Mr. Taranjit Singh Chadha, respondent who was impleaded as necessary respondent in CA No.86/C.1/2015 on 09.10.2015 when the matter was pending before the Company Law Board. Even reply to application was filed by Mr. Chadha.

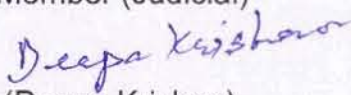
When the matter was listed on 19.01.2016 before the Company Law Board, contention was raised for the petitioners, that in view of the developments taking place subsequent to the filing of petition, amendment of the petition has become necessary and request was made for enabling the petitioner to amend the petition. It was observed in the order dated 19.01.2016 that appropriate steps be undertaken for amendment and the matter was to be listed as and when the necessary steps are taken.

The file was received by transfer before us from the Company Law Board and taken up on 30.08.2016. It seems that no steps have been taken by the petitioners so far and therefore notices to both the parties were ordered to be issued for doing the needful in the matter for further proceedings. As per Office report notice was delivered to the learned counsel for petitioners. There is no representation from the petitioners. Therefore the

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instant petition is dismissed for non prosecution in terms of Rule 48 (1) of the NCLT Rules, 2016, with a liberty to the petitioners to file fresh petition if the same is permissible under law.

  
(Justice R.P. Nagrath)  
Member (Judicial)

  
(Deepa Krishan)  
Member(Technical)

September 15, 2016

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