

IN THE NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH, HYDERABAD

CA No.157/2017

In

CP No.55 of 2008

U/R 11 & 32 of NCLT Rules, 2016

R/w Order 6 Rule 17 of

Code of Civil Procedure, 1908

In the matter of

Bharat Earth Movers Limited (BEML)

Regd. Office. At 23/1,

4th Main S.R. Nagar

Bangalore - 560027

Represented by its Director-Finance

Mr. M. Pitchiah

...Applicant /

Petitioner

VERSUS

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OF THE ORIGINAL

BEML Midwest & Others

Regd. Office at "SrinivasNilayam"

8-2-684/3-55, Banjara Green

Colony Road No.12, Banjara Green

Colony Road No.12, Banjara Hills

Hyderabad - 500034 (AP)

& 7 others

...Respondents

Date of order: 08.09.2017

CORAM

Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)

Hon'ble Shri RavikumarDuraismy, Member (Technical)

Parties Present

For the Applicant:

Shri S.V. Ravi Sekhar Rao,  
Company Secretary

Per: Rajeswara Rao Vittanala, Member (J)



**ORDER**

1. The present Company Application bearing CA No. 157 of 2017 in C.P. No. 55 of 2008 is filed by Bharat Earth Movers Limited (BEML) (Applicant/Petitioner) under Rules 11 & 32 of NCLT Rules, 2016, R/w Order 6 Rule 17 of Code of Civil Procedure, 1908, by inter-alia seeking direction to shift the registered office of BEML Midwest Limited (Respondent Company) from the present registered office situated at "SrinivasNilayam", 8-2-684/3-55, Banjara Green Colony, Road No.12, Banjara Hills, Hyderabad - 500034 to Applicant's/Petitioner's own Regional office located at 3-6-114, street No.18, Himayat Nagar, Hyderabad - 500029.
2. When the case was listed for hearing on 01.09.2019 none appeared for the Applicant/Petitioner and so it was adjourned to today.
3. Heard Shri S.V. Ravi Sekhar Rao, Company Secretary for the Applicant/Petitioner.
4. After arguing the case for some time, the Learned PCS submits that the Application is not properly drafted and that he wants to withdraw the Company Application, with a liberty to file fresh CA in accordance with law. And the same has been endorsed in writing on the Company Application by the Learned PCS before the Bench.
5. In view of the facts and circumstances of the case as mentioned above, CA No. 157 of 2017 in CP No. 55 of 2008 is disposed of as withdrawn, by granting liberty to the Applicant to file fresh Company Application for the same cause of action in accordance with law.
6. No order as to costs.

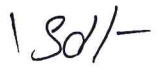


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**प्रमाणित प्रति  
CERTIFIED TRUE COPY**  
केस संख्या  
CASE NUMBER... CA No. 157/2017  
निर्णय का तारीख  
DATE OF JUDGEMENT... 8.9.2017  
प्रति लेकर किया गया तारीख  
COPY MADE READY ON... 14.11.2017

**Dy. Regr./Asst. Regr./Court Officer/  
National Company Law Tribunal, Hyderabad Bench**

  
**RAVIKUMAR DURAIAMY  
MEMBER (TECHNICAL)**

  
**RAJESWARã RAO VITTANALA  
MEMBER (JUDICIAL)**