BEFORE THE NATIONAL COMPANY TRIBUNAL, MUMBAI BENCH, MUMBAI

T.C.P. NO.678/I&BCP/NCLT/MB/MAH/2017

In the matter of Sections 433(e), 434 & 439 of the Companies Act, 1956.

SYNERGY EXPORTS LLP. ... **PETITIONER.**

VERSUS

GAJANAN INDUSTRIES LIMITED. ... **RESPONDENT.**

CORAM: **SHRI M. K. SHRAWAT**
MEMBER (JUDICIAL)

SHRI BHASKARA PANTULA MOHAN
MEMBER (JUDICIAL)

PRESENT ON BEHALF OF THE PARTIES:

None present.

Per : **SHRI M. K. SHRAWAT,** MEMBER (JUDICIAL)

ORDER

Heard on : 14.08.2017

Pronounced on: 16.08.2017

1. None present from the side of the Petitioner/Creditor.
2. The matter is transferred from the Hon'ble High Court of Bombay pertaining to the provisions of Section 433(e) of the Companies Act, 1956. On transfer of such Petitions a list of the Transferred Cases was prepared and duly publicized to inform the parties concerned.
3. The matter appeared on 27TH April 2017. No one appeared and thereafter the matter is listed on 14.08.2017. Today also none appeared for the Petitioner. The claimed amount is Rs. 99,71,074/-. No requisite Form is filed, hence the Petition stood abated.
4. The Procedure of Intimation is three fold i.e.
   (i) the **first** step is that the every day Cause List is always been uploaded on the NCLT Site for Public Information;

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(ii) the **second** step is that the directions given on hearing is also displayed daily in the Official Site7 about the decision taken in the Court; and

(iii) the **third** step is that the status of the Cause List is also displayed on the official site mentioning the next date of hearing.

5. Though number of opportunities were given to the Petitioner to appear but the Petitioner is not serious in pursuing this Petition.

As a consequence the Petition is liable to be rejected, however, worth to reproduce a paragraph from the latest notification dated 29.06.2017 (F. No. 1/0/2015-CL-V) GSR 732(E) as under :-

"*Provided further that any party or parties to the petitions shall, after the 15th day of July, 2017, be eligible to file fresh applications under sections 7 or 8 or 9 of the Code, as the case may be, in accordance with the provisions of the Code.*"

6. Hence for want of prosecution, the matter is dismissed. Consigned to Records.

Sd/-

Bhaskara Pantula Mohan
Member (Judicial)
Dated: 16.08.2017

Sd/-

M.K. Shrawat
Member (Judicial)

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