**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,**
**MUMBAI BENCH, MUMBAI**
**COMPANY PETITION NO. TCP 676/I&BP/NCLT/MB/MAH/2017**

CORAM : 1. **SHRI M.K. SHRAWAT**
Member (Judicial)
2. **RAVIKUMAR DURAISAMY**
Member (Technical).

Under Insolvency & Bankruptcy Code 2016

In the matter of

**Mr. Mukesh Dhirajlal Shah,**
Swastik Synergy Engineering Pvt. Ltd.,
302 Business Suites, S.V. Road,
Santacruz (West),
Mumbai - 400 054 : Petitioner

**V/s**

**M/s. ABC Valves Private Limited,**
Registered Office at:
Gala No.32, Sethi Industrial Estate,
10-3, Suren Road, Andheri (East),
Mumbai – 400 093. : Respondent

Per M.K. Shrawat, member (J)

**ORDER dated 28.07.2017**

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 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 was earlier listed on 25.04.2017 and 28.06.2017; however, nobody attended on these days. The matter was, therefore, adjourned to 28.07.2017. The Registry has intimated the next date of hearing to the parties.
4. The Procedure of Intimation is three fold i.e.
   (i) the **first** step is that every day Cause List is always been uploaded on the NCLT Site for Public Information;
   (ii) the **second** step is that the directions given on hearing is also displayed daily in the Official Site about the decision taken in the Court; and
   (iii) the **third** step is that the status of the Cause List is also displayed in 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 the 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. 1/5/2016-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**".
7. To be consigned to records.

Sd/-
**RAVIKUMAR DURAISAMY**
Member (Technical).
Date : 28.07.2017 ug.

Sd/-
**SHRI M.K. SHRAWAT**
Member (Judicial)