BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,

MUMBAI BENCH, MUMBAI

COMPANY PETITION NO. TCP 105/I &BP/NCLT/MB/MAH/2017

CORAM : 1. **SHRI M.K. SHRAWAT**
Member(Judicial)

2. **Bhaskara Pantula Mohan**
Member (Judicial)

In the matter of Insolvency & Bankruptcy Code 2016

AND

In the matter of **M/s. OWAIS AMIN ATHANIA**, Juma Masjid, Trust Building, 101, Morland Road, Mumbai Central, Mumbai 400008.

AND

In the matter of **M/s. NEELKAMAL REALTORS & BUILDERS PRIVATE LIMITED,** 265-E, Bellasis Road, Mumbai Central, Mumbai-400008.

Order dated 18.08.2017

TCP 105/I&BP/ NCLT /MB/MAH/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) 433(f), 434(1)(a) and 434(1)(c) 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 03.04.2017, The matter was, therefore, adjourned to 28.04.2017.
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.
   (iv) 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 7or 8 or 9 of the Code, as the case may be, in accordance with the provisions of the Code."
5. Hence for want of prosecution, the matter is "**abated**".
6. To be consigned to records.

Sd/-
BHASKARA PANTULA MOHAN
Member(Judicial)

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

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