BEFORE THE NATIONAL COMPANY TRIBUNAL, MUMBAI BENCH, MUMBAI

T.C.P. NO.216/I&BP/NCLT/MB/MAH/2017

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

In the matter of Sections 433(e) and (f) and 434 of the Companies Act, 1956.

TATA CAPITAL FINANCIAL SERVICES LIMITED. ... **PETITIONER**

VERSUS

KSS PETRON PRIVATE LIMITED. ... **RESPONDENT.**

PRESENT ON BEHALF OF THE PARTIES:

None present.

ORDER

Heard on 18.07.2017

Pronounced on: 19.07.2017

1. When the case was called no body was present from the side of the Petitioner.
2. As happened in the past the Learned Representative of the Respondent is present today. He informed that the requisite Form has not yet been served.
3. It appears that the Petitioner is not serious in pursuing the outstanding debt.
4. As per the Notification dated 30th June 2017 the time was extended upto 15th July 2017, that too, has expired.
5. As per the Notification fresh Petition can be filed under I&BP Code.
6. 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.*"
7. Hence this Petition is dismissed for want of prosecution. Consigned to Records.

Sd/-

M.K. Shrawat
Member (Judicial)

Dated: 19.07.2017

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