



NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, COURT-V

20. IA/1424/2023 In C.P. (IB)/135(MB)2022

CORAM:

SMT. ANURADHA BHATIA  
HON'BLE MEMBER (T)

SHRI KULDIP KUMAR KAREER  
HON'BLE MEMBER (J)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE  
NATIONAL COMPANY LAW TRIBUNAL ON 03.05.2023

NAME OF THE PARTIES: Prism Johnson Limited  
V/s.  
B E Billimoria And Company Limited

Section: 9 of Insolvency & Bankruptcy Code, 2016

---

ORDER

The matter is taken up through Virtual Hearing (VC).

**IA No. 1424/2023** - Adv. Harsh Kesharia appeared for the applicant. The present application is filed by petitioner Prism Johnson Limited under Rule 11 of NCLT, Rules 2016 sought restoration of C.P.(IB) No. 135/2022 and recall of the Order dated 03.03.2023.

Counsel appearing for the petitioner submits that on 03.03.2023 the C.P.(IB) No. 135/2022 was listed at Sr. No. 38 and on that day one Mr. Ruia had purportedly stated that matter has been settled between the parties and seek withdrawal of the Company Petition despite having no authority on behalf of the petitioner. Counsel appearing for the petitioner further pointed out that Mr. Ruia had in fact appeared in the matter listed at Sr. No. 37 on 03.03.2023 and his appearance was inadvertently recorded in C.P.(IB) No. 135/2022. Therefore, Counsel appearing for the petitioner has



requested to restore the Company Petition as it has been mistakenly dismissed.

In the light of above facts, we find it is just and proper to allow the restoration of the Company Petition. With the aforesaid observations, **IA No. 1424/2023** is **allowed** and **disposed of**. **C.P. No. 135/2022** shall stand restored to its original number.

Sd/-  
ANURADHA BHATIA  
Member (Technical)

Sd/-  
KULDIP KUMAR KAREER  
Member (Judicial)