BEFORE THE NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH, MUMBAI

COMPANY PETITION NO. 171/I&BP/NCLT/MB/MAH/2017

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

In the matter of **M/S. COLORBOND DYESTUFF PVT. LTD.,**
Registered Office at:
7/7, Tardeo Airconditioned Market Building,
Tardeo Main Road,
Mumbai – 40 034. : Petitioner/Operational Creditor

AND

In the matter of **M/S. MAHARAJA DYING PVT. LTD.,**
Registered Office at :
TS-12, Phase 1, M.I.D.C. Area,
Dombivli (East),
District Thane – 421 304. : Respondent/Operational Debtor

Represented by:
(None) : For Petitioner/Operational Creditor

(None) : For Respondent/Operational Debtor.

ORDER DATED 21-07-2017

1. None present.
2. The matter was transferred from Hon'ble High Court of Bombay pertaining to the provisions of 434 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.
    1. The matter was first listed on 06.04.2017. However nobody attended on that day. The matter was, therefore, adjourned to 13.06.2017.
    2. On 13.06.2017 also, no one attended from the side of Petitioner or Respondent. The matter was, therefore, further adjourned to 21.07.2017.
    3. Even on 21.07.2017 (Today), no one is present.

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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/-

SHRI M.K. SHRAWAT
Member (Judicial)

Date : 21.07.2017