

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No. 764/(MAH)/2017

CORAM:

Present: SHRI M.K. SHRAWAT
MEMBER (J)

SHRI BHASKARA PANTULA MOHAN
MEMBER (J)

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 03.11.2017

NAME OF THE PARTIES: Park Petrochem Pvt.Ltd.
V/s.
MRC Logistics Pvt. Ltd.

SECTION OF THE COMPANIES ACT: I & BP Code 2016.

S. No.	NAME	DESIGNATION	SIGNATURE
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ORDER

T.C.P. No. 764/I&BC/NCLT/MB/MAH/2017

1. None present from the side of the Petitioner when the case was called.
2. On last few occasions, as per the Notings of the Order Sheet it shows that it was intimated that the Petition was "Admitted" by the Hon'ble High Court and the matter was subjudice at that stage. Meanwhile as per the change in the Statute and due to the introduction of I&B Code 2016, the Petition was Transferred from the Hon'ble High Court to NCLT.
3. We have noted that through a Notice dated 09.01.2015 the Petitioner had called upon the Respondent debtor to make the Payment of Rs. 95,25,939/-. However, it is also noticed that on number of occasions the matter remained unrepresented. As a result the Petition deserves to be dismissed for want of prosecution.

4. As a result, because of Two Reasons, first the Petitioner remained absent and second the Petition was wrongly Transferred from the Hon'ble High Court to NCLT. Once it ^{was} "Admitted" ^{by the Hon'ble High Court.} hence this Petition is not maintainable being wrongly transferred.
5. Hence this Petition is dismissed accordingly. Consigned to Records.

Sd/-

Bhaskara Pantula Mohan
Member (Judicial)

03.11.2017

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Sd/-

M.K. Shrawat
Member (Judicial)