

**NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH
COURT NO.1**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,
BENGALURU BENCH, BENGALURU, HELD ON 14.11.2019

PRIORITY CAUSE LIST – 1

PRESENT: 1. Hon'ble Member (J), Shri Rajeswara Rao Vittanala
2. Hon'ble Member (T), Shri Ashutosh Chandra

CP/CA No.	Purpose	Sec	Name of Petitioner	Petitioner Advocate	Name of Respondent	Respondent Advocate
CP(IB) No. 206/BB/2019	For hearing IA 594/19	Sec 7 of I&B Code 2016	M/s Eera Investments	R P Lalit & Co. Advocates & Solicitors	M/s M R Pro Tech Pvt Ltd	Siddharth Suman, Advocate

ADVOCATE FOR PETITIONER/s:

Megakshi V
CMEENAKSHI .V)
9886665419

ADVOCATE FOR RESPONDENT/s:

ORDER

1. I.A.No.594/2019 in C.P.(IB)No.206/BB/2019 is filed by M/s.Eara Investments (hereinafter referred to as 'Applicant'), Under Rule 11 of the I&B(AAA) Rules, 2016, by inter alia, seeking to recall the order dated 08.11.2019, and restore the main Company Petition.
2. The Petition was listed before the Bench on 24.10.2019 for admission, and on that day neither the Petitioner nor Counsel for the Petitioner appeared before the Tribunal. Therefore, the case was listed under the caption "for dismissal" on 08.11.2019. On that day also none appeared for the Petitioner. Hence, the case was dismissed for default for non-prosecution.
3. Heard, Ms. Meenakshi V. learned Counsel for the Applicant. We have carefully perused the pleadings of the party along with extant provisions of Law.
4. We are convinced with the reasons cited by the Applicant for not attending/prosecuting the case on 08.11.2019 and earlier. Therefore, we are inclined to allow the Application in the interest of justice, however, subject to payment of costs.
5. Hence, I.A.No.594/2019 in C.P.(IB)No.206/BB/2019 is allowed by set aside the Order dated 08.11.2019, and restore the main Company Petition subject to payment of cost of Rs.5,000/- (Rupees Two Thousand Only) to "*The Bengaluru Professionals Benevolent Fund*", Kotak Mahindra Bank, High Court of Karnataka, High Court Buildings, Dr. Ambedkar Veedhi, Bengaluru - 560001, [A/c. No.237010001731, IFSC: KKBK0008085], which is to be paid by the Petitioner before the next date of hearing and submit proof of payment.
Post the case on **26.11.2019**.



MEMBER (T)

Puja



MEMBER (J)