

BEFORE THE NATIONAL COMPANY TRIBUNAL, MUMBAI BENCH, MUMBAI
T.C.P. NO.163/I&BP/NCLT/MB/MAH/2017

CORAM:

SHRI M. K. SHRAWAT
MEMBER (JUDICIAL)

In the matter of the Companies Act, 1956
AND

In the matter of Sections 433(E), 434(1)(a) and 439 of the Companies Act, 1956.

Smt. Shantaben G. Gandhi.

... **APPLICANT/PETITIONER**

VERSUS

Grafftech Marine & Engineering Private Limited. ... **RESPONDENT/DEBTOR.**

PRESENT ON BEHALF OF THE PARTIES:

None present.

ORDER

Heard on : 04.07.2017
Pronounced on: 10.07.2017

1. None present.
2. On last two occasions i.e. 06.04.2017 and 28.04.2017 the Petitioner was directed to serve Form 5 and Notice of Demand. No compliance has been made.
3. The Procedure of Intimation is three fold i.e. (i) the first step is today's Cause List has always been uploaded on the NCLT Site for Public Information, (ii) the second step is that the directions given today is also displayed 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 on the official site mentioning the next date of hearing.
4. The amount of debt is very small amounting to Rs. 15,00,000/- only.
5. 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."
6. The Petitioner is not serious in pursuing this Petition. Therefore, matter cannot be kept so long.
7. Petition is dismissed for non-prosecution. Hence the matter stands disposed of accordingly. Consigned to Records.

Sd/-

M.K. SHRAWAT
MEMBER (JUDICIAL)

Date: 10.07.2017.