

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
**DIVISION BENCH**  
**COURT - 1**

ITEM No.136  
CP 77 of 2019

**Proceedings under Section 75 of LLP Act, 2008 r.w rule 37(5) of LLP Rules 2009 r.w Rule 11 on NCLT Rules, 2016**

**IN THE MATTER OF:**

Omprakash Ratanlal Malavia & Anr  
V/s  
ROC & Ors

.....Applicant

.....Respondent

**Order delivered on: 16/05/2024**

**Coram:**

Mr. Shammi Khan, Hon'ble Member(J)  
Mr. Sameer Kakar, Hon'ble Member(T)

**PRESENT:**

For the Applicant : Mr. Vishal Dave, Advocate  
For the Respondent / RoC : Ms. Vipal Solanki, Company Prosecutor

**ORDER**

In compliance with the last order dated 15.04.2024, written submissions have been filed by the petitioner along with certain judgments with citations in their favour on 25.04.2024, vide inward diary No. D-3541. The same is taken on record.

Both sides have completed their pleadings in the matter and have argued the case.

Learned RoC has filed an affidavit in reply to his opposition to the restoration of the LLP, stating that there is no provision of law.

On the contrary, the applicant has attached with written submission a decision of the Coordinate Bench, as well as the Supreme Court decision where held that decision of the Coordinate Bench of the Tribunal is binding on other Benches.

In view of the same, we hereby direct both sides to represent physically before this Tribunal on the next date of hearing.

Re-list on 11.07.2024.

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**SAMEER KAKAR**  
**MEMBER (TECHNICAL)**

**SHAMMI KHAN**  
**MEMBER (JUDICIAL)**