

NATIONAL COMPANY LAW TRIBUNAL
COURT-I, MUMBAI BENCH

Item 12

C.P.(IB)255/MB/2022

CORAM:

SH. SHYAM BABU GAUTAM
HON'BLE MEMBER (T)

JUSTICE P.N. DESHMUKH (Retd.)
HON'BLE MEMBER (J)

ORDER SHEET OF THE HEARING ON **05.01.2023**

NAME OF THE PARTIES:

Nilam Mittal

V/s

Omkar Realtors & Developers Pvt Ltd

Appearance (via video-conference):

For the Applicant : None Present

For the Respondent : Advocate Mohanish Chaudhari a/w Advocate
Surendra Vishwakarma

Section 7 of the IBC, 2016

ORDER

None appeared on behalf of Petitioner when the matter is called out. On perusal of the record, it is revealed that matter was listed on Board on 09.12.2022, under the Caption either for appearance or for passing dismissal order; however, on the same date Ld. Counsel, Ms. Anjali Shahi i/b G.P. & Associates appeared and has submitted that she need time to place on record Vakalatnama on behalf of the Financial Creditor as she is recently engaged by the Client. It is to be noted that there is no representation from the side of the Financial Creditor since the filing of this Company Petition. On **09.12.2022**, taking note of the submission of Ms. Anjali Shahi, Advocate, time was granted to the Financial Creditor to file

and to place on record Vakalatnama. However, today when the matter is called out neither the Counsel for the Financial Creditor is present nor has placed on record Vakalatnama. Taking note, the absence of the Financial Creditor, it further strengthens the belief of this Bench that the Financial Creditor is no more interested to prosecute the matter and to prolong the matter further. Hence, the Company Petition is **dismissed for non-prosecution**. File be consigned to record.

Sd/-

SHYAM BABU GAUTAM
Member (Technical)

Akash

Sd/-

JUSTICE P.N. DESHMUKH
Member (Judicial)