

**IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH**

COURT – IV

35. **RST.A (COMPANIES ACT)/08(MB)2024
IN CP/2271(MB)2019**

CORAM:

MS. ANU JAGMOHAN SINGH
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON **25.06.2024**

NAME OF THE PARTIES:

Ajay M Patel
Vs.

Finhelp Investment and Consultants
Mumbai Private Limited

SECTION: 213, Rule 48 OF THE COMPANIES ACT, 2013.

ORDER

RST.A/08(MB)2024

1. Mr. Jaideep Singh Khattar, Ld. Counsel for the Applicant present, but appearance is not given in the chat box. Mr. Aditya N Raut i/b N.N. Amin and Co., Ld. Counsel for the Respondents present through VC.
2. This is an application filed by the Applicant seeking following reliefs:
 - a. *“That this Hon'ble Tribunal be pleased to pass an order condoning a delay of 192 days for filing the present Application to restore the captioned Company Petition;*
 - b. *That this Hon'ble Tribunal be pleased to pass an order restoring the captioned company petition to its original file and status as on 17 August 2023;*
 - c. *That this Hon'ble Tribunal be pleased to list the captioned company petition on such date as it deems fit;*
 - d. *For cost(s).”*
3. Order file shows that on 17.08.2023, this Bench observed that the Petitioner has not appeared on 13.07.2023 & 21.07.2023. Therefore, this Bench held that the Petitioner is not interested to pursue the matter and CP/2271(MB)2019 was dismissed on the ground of non-prosecution.
4. The present application is filed by the Applicant to restore the main company petition and condoning the delay of 192 days for filing the present application.

5. This Bench is of the considered view that the Applicant has approached this Tribunal with exorbitant delay of 192 days. Moreover, the Applicant was given sufficient opportunities to appear which he failed to do. At this stage, we cannot condone the delay and restore the above company petition. Hence, RST.A/08(MB)2024 is **dismissed**.

Sd/-
ANU JAGMOHAN SINGH
Member (Technical)

Sd/-
KISHORE VEMULAPALLI
Member (Judicial)