

NATIONAL COMPANY LAW TRIBUNAL

COURT ROOM NO. 1,

MUMBAI BENCH

Item No. 45

C.P. (IB)/569(MB)2023

CORAM:

**SH. PRABHAT KUMAR JUSTICE VIRENDRASINGH BISHT (Retd.)
HON'BLE MEMBER (TECHNICAL) HON'BLE MEMBER (JUDICIAL)**

ORDER SHEET OF THE HEARING ON **12.12.2023**

NAME OF THE PARTIES: **VINSARI FRUITECH LIMITED V/s
RANGBEHARI PURSHOTTAMDAS
BHOOT**

Section 95(1) of the Insolvency and Bankruptcy Code, 2016

ORDER

C.P. (IB)/569(MB)2023

- 1) None present for either side, when the matter is called out.
- 2) Record reveals that the matter was listed on Board on 11.07.2023, on which date, none was present for either side, and the Bench directed the Registry to issue Notice to the Respondent/s, intimating the next date of hearing and to place on record Compliance Report well before the adjourned date.

Further, Respondent was also granted liberty to place on record Affidavit in Reply within a period of two weeks' from today by duly serving copies to the other side well in advance, and the matter was adjourned to 05.09.2023.

- 3) Thereafter, on 05.09.2023, Bench passed the order directing the Petitioner to appear on the next date of hearing, and also made it clear that failure in presence, the Bench shall pass consequential orders. Thereafter, on 13.10.2023, none was present for either side and the matter was adjourned to 21.11.2023.
- 4) On 21.11.2023, after noting the repeated non-appearance, the Bench directed the Registry to list the matter under the caption "either for Appearance or for passing dismissal order". Today, the matter is listed on Board today either for Appearance or for passing dismissal order.
- 5) Even after clear and categorical directions from this Bench and even after granting various opportunities to the Petitioner to advance their submissions, the Petitioner chose not to appear before the Bench today and prosecute their matter further.
- 6) The Continuance absence on the part of the Petitioner further strengthens the belief of this Bench that the Petitioner either have settled the matter with the Personal Guarantor of the Corporate Debtor or is no more inclined to prosecute their grievance/issue further in the present matter.
- 7) In that view of the matter, the present Company Petition bearing **CP (IB) No. 569 of 2023**, is disposed of for want of prosecution. Resultantly, all the

pending Applications, if any, arising out of the present Company Petition, stand closed, in view of disposal of the main Company Petition.

8) There would however be no order as to costs. File be consigned to record.

Ordered Accordingly.

Sd/-

PRABHAT KUMAR
MEMBER (TECHNICAL)

Sd/-

JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)

Vedant Kedare