

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

**COURT – IV**

12.

**COMP.APPL/211(MB)2024  
IN CP/925(MB)2020**

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:

Rahul Dilip Shah & Ors.  
Vs.

Katalyst Software Services Limited & Ors.

SECTION: 241(1), 242(4) OF THE COMPANIES ACT, 2013. Rule 11 of NCLT, 2016.

**ORDER**

**COMP.APPL/211(MB)2024**

1. Adv. Shyam Dewani a/w Adv. Sumit Khanna, Adv. Samiksha Parekh, Adv. Divya Bhatia and Adv. Saurabh i/b Dewani Associates, Ld. Counsel for the Applicants presents. Mr. Chinmay Bhojane i/b Apex Law Partners, Ld. Counsel for the Respondent Nos.5 & 18 present. None present for the other Respondents.
2. This is an application filed by the Applicant seeking following reliefs:
  - a. *“Clarify its order dated 03.05.2024 passed in the Company Application no. 128/2024 that the 'liberty as sought' was granted while permitting withdrawal;*
  - b. *Alternatively, clarify that no specific liberty is required to pursue reliefs as available to Applicants under law including prosecuting Company Petition no. 50/2024.”*
3. On 03.05.2024, at para 2, this Bench rightly recorded that *“This is an application filed by the Applicant under Rule 11 of NCLT, 2016 seeking withdrawal of Restoration Application No. 02 of 2024 in CP-925 of 2020. Permission granted. In view of the above prayer, Restoration Application No. 02 of 2024 is dismissed as withdrawn. Accordingly, COMP.APPL/ 128(MB)2024 is allowed to that effect and disposed of.”*

4. This Bench observes that in the said order, prayer for withdrawal of Restoration Application No. 02 of 2024 was allowed and CA-128/2024 was allowed '*to that effect only*' and IA was disposed of. This Bench did not allow any other prayers in the application. Therefore, this Bench feels that there is no need to pass any further orders in this application. Hence, COMP.APPL/211(MB)2024 stands **dismissed**.

**Sd/-**  
**ANU JAGMOHAN SINGH**  
**Member (Technical)**

**Sd/-**  
**KISHORE VEMULAPALLI**  
**Member (Judicial)**