

IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

COURT – IV

8. RST.A/10/2024 in CP/228(MB)/2020

CORAM:

MS. ANU JAGMOHAN SINGH
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON 25.04.2024

NAME OF THE PARTIES: Ebixcash World Money Limited
Vs
Ebix Payment Services Private Limited

SECTION: 241(1), 244(1) OF THE COMPANIES ACT, 2013. Rule 11 of NCLT Rules, 2016

ORDER

This matter is heard through Video Conference:

1. Mr. Ravish Mishra i/b Vijay B. Dhingreja, Ld. Counsel for the Applicant in RST.A/10(MB)2024 present (VC). Mr. Atul Jain a/w Sonia Dasgupta i/b Trilegal, Ld. Counsel for the R2 & R3 present.
2. **RST.A/10/2024:** Counsel for the Petitioner was not present on 19.10.2022 and after that on 26.04.2023, this Bench observed that the Petitioner is deliberately trying to prolong the matter and looks to be not interested in pursuing the case. Final chance was given mentioning that if the Counsel not present on the next date of hearing, the Petition will be dismissed on account of non-prosecution. Thereafter, on 05.07.2023, there was no representation on behalf of the Petitioner. Observing all the past non-appearances of the Counsel for the Petitioner, this Bench passed order of dismissal of the Petition on 05.07.2023.

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3. The Petitioner filed this Application for restoration after delay of 10 months. The reasons stated in the application are not satisfactory. While dismissing the petition for non-prosecution on 05.07.2023 the Bench had clearly recorded the dates on which the petitioner did not appear and accordingly took a considered view to dismiss the petition.
4. Therefore, the bench is not inclined to restore the Petition. Accordingly, Restoration Application is **dismissed**.

Sd/-
ANU JAGMOHAN SINGH
Member (Technical)

Sd/-
KISHORE VEMULAPALLI
Member (Judicial)