

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 29
CP 40/241/PB/2022

IN THE MATTER OF:

Pawan Kumar Agarwal
Vs.

.... Petitioner/Applicant

Koko Tawa Welding Industry Pvt. Ltd. & Ors.

.... Respondent

Order u/S. 241 of the Companies Act, 2013

Order delivered on 25.04.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

SH. AVINASH K. SRIVASTAVA
HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Petitioner : Adv. Aditya Madaan, Adv. Anmol Singh along with
Petitioner in person

For the Respondent : Appearance not marked

ORDER

CA-263/2023

1. Mr. Aditya Madaan, Ld. Counsel for the Petitioner appears through VC.
Mr. Vishal Pandey, Ld. Counsel for the Respondent appears physically.
2. On 19.01.2023, we had passed the following order:

“Ld. Counsel Mr. Karanveer Jindal appeared through VC on behalf of the Petitioner.

Ld. Counsel Ms. Neha Tripathi also appeared through VC on behalf of the Respondent.

Counsels for both parties are ad-idem that the settlement talks are going on between them and they are before the Mediation Centre of the Hon'ble Delhi High Court. In view of the stand taken by the Counsels, the present petition i.e. CP-40/241/PB/2022 stands dismissed at this stage. It is made clear that if the settlement talk do not materialise, the petitioner would have the liberty to move an appropriate application for the revival of the present petition.”

3. It is pleaded by the Ld. Counsel for the Petitioner that the mediation has failed and accordingly he has filed this application for revival of the main Company Petition.
4. Considering the merits of the case, **CA-263/2023** for revival of the Company Petition is **allowed**.
5. The Company Petition stands restored. Registry is directed to give a new number to the same.
6. List the main matter **on 09.05.2024**.

Sd/-
(RAMALINGAM SUDHAKAR)
PRESIDENT

Sd/-
(AVINASH K. SRIVASTAVA)
MEMBER (TECHNICAL)

Shubham Pandya – 25.04.2024