

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**  
**COURT – IV**

**ITEM No.403**  
**IA/5737/2022 in IB/305/ND/2022**

**IN THE MATTER OF:**

Mr. Harpal Singh	...	Applicant
Versus		
Bank of Maharashtra	...	Respondent

**Order under Section 7 of IBC, 2016.**

**Order delivered on 16.01.2023**

**Coram:**

**MR. P.S.N. PRASAD,**  
**HON'BLE MEMBER (JUDICIAL)**  
**DR. BINOD KUMAR SINHA,**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant : Mr. Nishant Sharma, Adv.  
For the Respondent :

**ORDER**

Heard the submissions made by the Counsel for the Financial Creditor. No one is present on behalf of the Corporate Debtor at the time of hearing. It is made clear that if Corporate Debtor or Counsel for the Corporate Debtor fails to appear before this Tribunal on the next date of hearing, they will be declared as ex parte and the matter will be proceeded further.

**IA/5737/2022**

This application has been filed under Section 60(5) of IBC 2016 under Rule 11 of NCLT Rules, 2016 seeking dismissal/deferment of the petition filed under Section 7 of the IBC, 2016 along with supporting affidavit. Neither the applicant nor his counsel is present at the time of hearing. Therefore, the present application i.e. IA No. 5737/ND/2022 stands dismissed for non-prosecution.

Let the matter be fixed for **17.02.2023**.

**Sd/-**  
**DR. BINOD KUMAR SINHA**  
**MEMBER (TECHNICAL)**

Mukesh

**Sd/-**  
**P.S.N. PRASAD**  
**MEMBER (JUDICIAL)**