

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH (COURT – II)**

**Item No. 207**  
**CP-434/241/ND/2018**  
**COMP.APPL/561/2020, COMP.APPL/440/2020**  
**COMP.APPL/417/2020, COMP.APPL/585/2020**  
**CA- 66/2024**

**IN THE MATTER OF:**

**Sh. Anupam Gupta and Another** ... **Applicant/Petitioner**

**Versus**

**M/s. Overseas Courier Service (India) Pvt. Ltd. & Others** ... **Respondent**

**Under Section: 241-242**

**Order delivered on 12.04.2024**

**CORAM:**

**SH. ASHOK KUMAR BHARDWAJ**  
**HON'BLE MEMBER (J)**

**SH. SUBRATA KUMAR DASH**  
**HON'BLE MEMBER (T)**

**PRESENT:**

**For the Applicant** :

**For the Respondent** : Adv. Swashtika Chakravarti, Adv. Muskan  
Narang

**HYBRID HEARING (PHYSICAL & VC)**

**ORDER**

**Comp.Appl/561/2020:** On 01.12.2023 this Tribunal passed the following order:-

***CP-434/241/ND/2018:** There is no appearance on behalf of the Petitioner. Mr. Neeraj Malhotra, Ld. Sr. Counsel appearing for all the Respondents submitted that Petitioner No. 2 - Mr. Manish Gupta has already sold his shares to Respondent No. 1 and Respondent No. 1 is prepared to buy the shares of Petitioner No. 1 - Mr. Ankur Gupta also. Nevertheless, since there is no appearance on behalf of the Petitioner, adverse orders are deferred.*

*List on 05.01.2024.*

**Comp. Appl-561/2020, Comp. Appl-440/2020, Comp. Appl-417/2020, Comp. Appl-585/2020:** List on 05.01.2024.

The Ld. Counsel appearing for the Respondent submitted that no one appeared on behalf of the Petitioners on 01.12.2023, 05.01.2024 & 21.03.2024.

According to the submission put forth by the Ld. Counsel for the Respondents, on 01.12.2023, this Tribunal was of the view that **the petition should be dismissed for want of prosecution**, thus an appropriate order may be passed to the effect.

Mr. Anupam Gupta, the Petitioner No. 1 who is present in person submitted that his name is incorrectly mentioned in order dated 01.12.2023 as Ankur Gupta. However, he also submitted that some settlement talk is going on between him and the Respondent.

In view of the submission made by Mr. Anupam Gupta, his name mentioned in order dated 01.12.2023 as Ankur Gupta be read as Anupam Gupta. Besides, as in terms of the order dated 01.12.2023, the stand of the Respondent is that they are prepared to buy the shares also of Petitioner No.1 as also from the submission made by the Petitioner no. 1 today, it is apparent that the parties are in the process of resolving the issue out of Court, **the present petition is disposed of** with liberty to them to do so. It is made clear that if the issue is not resolved within 8 weeks, it would open to Petitioner No. 1 to seek revival of the present petition.

**COMP.APPL/440/2020, COMP.APPL/417/2020, COMP.APPL/585/2020CA-66/2024:** In the wake of the order passed in CP-434/241/ND/2018, **the applications are disposed as infructuous.**

**Sd/-**  
**(SUBRATA KUMAR DASH)**  
**MEMBER (T)**

**Sd/-**  
**(ASHOK KUMAR BHARDWAJ)**  
**MEMBER (J)**