

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
**DIVISION BENCH**  
**COURT - I**

ITEM No.8- RST.A/3(AHM) 2024 in  
IA/402(AHM) 2023  
In  
CP(IB) 203 of 2019

**Proceedings under Section 9 IBC**

**IN THE MATTER OF:**

Vedant Tradelink Pvt Ltd

.....Applicant

V/s

B D Overseas & Fiscal Services Ltd

.....Respondent

**Order delivered on 05/02/2024**

**Coram:**

**Mr. Shammi Khan, Hon'ble Member(J)**

**Mr. Sameer Kakar, Hon,ble Member(T)**

**PRESENT:**

For the Applicant : Mr. M.N. Marfatia, Adv.

For the Respondent : Mr. Pratik Thakkar, Adv. for R-2

**ORDER**

**RST.A/3(AHM) 2024**

This is an application filed under Rule 48 of NCLT Rules, 2016 for recalling the order of this Adjudicating Authority dated 16.01.2024, whereby the main CP (IB) No. 203 of 2019 was dismissed in default.

On perusal of the application, it is seen that this application has been filed by M/s. M.M.TC Limited, which is a company registered under the Companies Act through Mr. Gangan Shailendra Dhondoo. However, in this application, neither the Board Resolution nor any authority letter in favour of the deponent, who has affirmed the affidavit, has been filed, nor any affidavit that was sworn before the concerned notary is complete, as there is no identity coming forward on the sworn affidavit of the concerned person, either a photograph or any supporting document of the same person. Learned Counsel for the applicant requests for filing a revised affidavit as well as the proper Resolution / authority letter in support of this application.

We are not inclined to grant this liberty.

Accordingly, **RST.A/3(AHM) 2024** is dismissed being defective, with a liberty to file a fresh application.

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**SAMEER KAKAR**  
**MEMBER (TECHNICAL)**

**SHAMMI KHAN**  
**MEMBER (JUDICIAL)**