

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT – 1

ITEM No.240 – RST.A(Co.Act)/1(AHM)2024
In
CP 112 of 2018

Proceedings under Section 241-242 of Co. Act, 2013

IN THE MATTER OF:

Harsh Dubal & Anr

.....Applicant

V/s

White River Corporation Pvt Ltd & Ors

.....Respondent

Order delivered on: 09/05/2024

Coram:

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

Mr.Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant

:Mr. Pranjal M Buch, Advocate

For the Respondent

:

ORDER

RST.A(Co.Act)/1(AHM)2024

Fresh service affidavit has been filed in term of order dated 18.03.2024 qua the service upon R-4 & R-5.

R-1 to R-3 who appeared on the last date of hearing through learned counsel, Mr. Ravi Pahwa states that he has no more instruction to appear on behalf of R-1 to R-3.

This is an application filed for restoration of the main petition which was dismissed as default vide order dated 18.01.2024 as despite the repeated call none appeared on behalf of the applicant to press the application on that date. Even in prior to date also nobody appeared on 09.11.2023 for the applicant.

Learned Counsel for the Applicant has taken plea that on the date of dismiss as default, he was on his legs before the Court-II of this Tribunal and the matter was fixed on 2.30 PM and could not remain present.

We have heard the learned counsel for the applicant and perused the record. Taking lenient view, we hereby recall the order dated 18.01.2024 by allowing this Application. Let the CP 112 of 2018 be restored to its Original Number.

In view of the above, **RST.A(Co.Act)/1(AHM)2024** stands disposed of.

CP 112 of 2018

Let notice be issued to the Respondents in the main petition by the Registry, returnable by next date. The Applicant is directed to collect the notice from the Registry within three days and serve upon the Respondents along with copy of this order through Registered Ad post / Speed-post, Dasti mode as well as on the registered email ID of the Respondents within seven days.

Proof of Service be filed by way of an affidavit before the next date of hearing

List CP 112 of 2018 on 18.07.2024

Sd/-

**SAMEER KAKAR
MEMBER (TECHNICAL)**

Sd/-

**SHAMMI KHAN
MEMBER (JUDICIAL)**