

**IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD**  
**COURT - 2**

ITEM No.3 – Rst.A/2 of 2023  
In  
CP/16(AHM)2022

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

**IN THE MATTER OF:**

Anoop Bansal & Anr  
V/s

.....Applicant

Beni Agro Products Pvt Ltd & Ors

.....Respondent

**Order delivered on ..18/05/2023**

**Coram:**

Mr. Shammi Khan, Hon'ble Member(J)  
Mr. Ajai Das Mehrotra, Hon'ble Member(T)

**PRESENT:**

For the Applicant : Mr. Harmish K Shah, Advocate  
For the Respondent : Mr. Nipun Singhvi Advocate a/w. Mr. Vishal Dave  
Advocate

**ORDER**

**Rst. A 02 of 2023**

01. This is an application filed by the Applicant for condonation of delay and for restoration of CP/16(AHM)2022.

02. Learned counsel Mr. Harmish K Shah, Advocate appears for the applicant and submits that in the interest of justice and invoking inherent powers of the Tribunal under Rule 11 of NCLT Rules 2016, the delay in filing this application may be condoned and CP/16(AHM)2022 be restored.

03. Learned counsel Mr. Vishal Dave appears for the respondent. He states that there is no ground for condonation of delay and the applicant has not submitted any proof regarding the claim of default due to illness. He also states that the Applicant stopped appearing in the matter from 21.07.2022 till 31.01.2023. He strongly opposes the grant of condonation and restoration of CP/16(AHM)2022.

04. Heard both the sides. Both the sides to file written submissions in not more than two pages along with copy of judgments relied upon.

Reserved for orders.

-Sd-

**AJAI DAS MEHROTRA  
MEMBER (TECHNICAL)**

-Sd-

**SHAMMI KHAN  
MEMBER (JUDICIAL)**