

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT)(Ins) No. 463 of 2019**

**IN THE MATTER OF:**

**Mr. Siddharth Nayar,  
Proprietor of Woolways Exports**

**...Appellant**

**Versus**

**Mr. Sanjeve Bhushan Deora,  
R P for Woolways Exports & Anr.**

**...Respondents**

**For Appellant: Mr. Yajur Bhalla, Advocate  
For Respondent: Mr. Sanjeve Bhushan Deora – RP**

**O R D E R**

**30.04.2019** - The Appellant filed an application before the Adjudicating Authority (National Company Law Tribunal), New Delhi for rectification of the order earlier passed on 14.11.2018 on the application filed by Appellant in CA No. 249/C/III/ND/2018 which had directed Appellant to remit a sum of Rs. 16,95,000/-. The impugned order dated 14.11.2018 reads as follows: -

*“CA No. 414/C-III/ND/2018 : This CA has been filed for  
rectification of the Order filed on behalf of Siddharth  
Nayar Proprietor of Woolways Exports (Applicants) in*

*CA No. – 249/C-III/ND/2018 directing the respondents to remit a sum of Rs. 16,95,000/- and pursuant to the directions dated 14.11.2018, Ld. RP represents that an appeal was filed before the Hon'ble NCLAT and the Hon'ble NCLAT vide its order dated 08.04.2019, dismissed the same. Ld. Counsel for the RP brings to the notice of this Tribunal the order dated 14.11.2018 which has been passed by this Tribunal and disposed off by Hon'ble NCLAT in the Appeal dated 08.04.2019.*

*In the circumstances, we do not find any merits as rightly submitted by RP that the order rendered is substantive and this Tribunal cannot review its own order and to consider this application filed under Section 420 of the Companies Act, 2013 and this application hence stands dismissed.*

*Consequent upon the dismissal of the appeal passed by Hon'ble NCLAT in CA No. 414/C-III/ND/18, the respondents in application CA No. 249/C-III/ND/2018 to show cause as to why action should not be taken against the respondents due to non-compliance of the order dated 14.11.2018."*

When it was pointed out the Appellant submitted that he earlier moved an application against order dated 14<sup>th</sup> November, 2018 which was not entertained by this Appellate Tribunal. It is submitted that the said appeal was dismissed on the ground of delay. That means now the Appellant wants to revive the same by asking the Adjudicating Authority to modify the order by new one.

We find no merit in this appeal and the appeal is dismissed. No costs.

[Justice S.J. Mukhopadhaya]  
Chairperson

[Justice A.I.S. Cheema]  
Member (Judicial)

[Kanthi Narahari]  
Member (Technical)

ss/gc/