

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Restoration Application No. 23 of 2019

IN

Company Appeal (AT) No. 100 of 2019

IN THE MATTER OF:

Mangala Investments Ltd. & Ors.

...Appellants

Vs.

Canara Land Investments Ltd. & Ors.

...Respondents

Present: For Appellant: - Mr. Saurabh Kalia and Mr. Satyan Israni, Advocates.

For Respondents: - Mr. Arvind S., Advocate.

O R D E R
(Through Virtual Mode)

10.08.2020— The appeal has been dismissed for non-prosecution by virtue of the order dated 14th November, 2019. The Appellant seeks its restoration.

After hearing learned counsel for the Appellant, we find that this appeal was listed before a three Members Bench which in terms of the order dated 23rd October, 2019, directed it to be listed before some other Bench as the impugned order had been passed by one of the Hon'ble Members of that Bench in his capacity as Member (Technical) of the NCLT. It further appears that instead of listing the matter on 27th November, 2019, the appeal came to be listed before another Bench on

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5th November, 2019 without notice to the parties under administrative directions given by the then Hon'ble Chairperson. The matter was adjourned to 14th November, 2019 on which date the appeal came to be dismissed for non-prosecution.

In the given set of facts, it is abundantly clear that the Appellant had no notice of the listing of appeal. The appeal, thus is required to be restored. We order accordingly.

Let the appeal be restored to the file of this Appellate Tribunal on its original number.

Restoration Application No. 23 of 2019 stands disposed off.

[Justice Bansi Lal Bhat]
Acting Chairperson

[V.P. Singh]
Member (Technical)

[Dr. Alok Srivastava]
Member (Technical)

Ar/G