

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMPANY APPLICATION NO.537 OF 2018
IN
COMPANY PETITION NO.115 OF 2016**

Mekaul Construction Technologies Pvt. Ltd.)....Applicant

IN THE MATTER BETWEEN :

Mekaul Construction Technologies Pvt. Ltd.)....Petitioner
V/s.

Seth Developers Pvt. Ltd.)....Respondent

Mr.Yashodhan Gavankar I/by Legal Associates for the
applicant/petitioner.
None for respondent.

**CORAM : K.R.SHRIRAM,J
DATE : 17.10.2018**

P.C.:-

1. This application is to direct the National Company Law Tribunal (NCLT), Mumbai, to return the record & proceedings in Company Petition No.115 of 2016 since according to the applicant, petition was wrongly transferred to NCLT. The applicant has annexed at Exh.C, a copy of letter dated 1.3.2016 confirming service of the petition on 11.3.2016. It looks like the affidavit of service has not been filed and hence the papers got transferred. It does appear that notice was served before the cut-off date of 15.12.2016.

2. The applicant also states that the claim in the petition has already been settled by the applicant who is also the original petitioner and nothing remains in the petition. Therefore, the registry of NCLT is directed to return the record & proceedings to this Court within two weeks of receiving a copy of this order. The Advocate for the applicant is permitted to forward copy of this order to NCLT, Mumbai.

3. Upon receipt of the record & proceedings from NCLT, the registry to consider the petition as disposed by this court and make a noting to that effect in the register.

4. Application accordingly stands disposed.

5. All to act on a copy of this order duly authenticated by the Associate of this court.

(K.R.SHRIRAM,J)