

NATIONAL COMPANY LAW APPELLATE TRIBUNAL

NEW DELHI

Company Appeal (AT) No. 200 of 2017

IN THE MATTER OF:

Sanjay Murarka & Ors.

...Appellants

Vs

Fab Leathers Ltd. & Ors.

...Respondents

Present: For Appellant: -

**Shri Joy Saha, Senior Advocate
assisted by Shri Sarad Kr. Singhanian,
Advocate**

For Respondents:

Shri S. Mukherjee, Advocate

O R D E R

04.07.2017 In this case we find that both the parties requested the Tribunal for further adjournment on the ground that settlement is in progress. As the matter was pending since 2015 the Tribunal refused to grant any time. However, what we find that the Tribunal without deciding the case on merits, dismissed the company petition 'as not pressed'. The question arises for consideration in this appeal is whether the Tribunal can dismiss the company petition as not pressed, the parties are not allowed further time to settle the dispute.

Let the notice be issued to the respondents. Shri S. Mukherjee, Advocate accepts notice on behalf of the respondents. No further notice be issued.

Post the matter on 1st August, 2017.

Pendency of the appeal will not come in the way of the parties to settle the dispute and place the memorandum of settlement.

(Justice S.J. Mukhopadhaya)
Chairperson

(Balvinder Singh)
Member (Technical)