

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

**Company Appeal (AT) (Insolvency) No. 838 of 2019**

**IN THE MATTER OF:**

**Sagar Dinesh Jariwal**

**...Appellant**

**Vs.**

**Small Industries Development  
Bank of India (SIDBI) & Ors.**

**...Respondents**

**Present: For Appellant: - Mr. S. Vishwanathan, Proxy Counsel.**

**O R D E R**

**24.10.2019—** The Appeal was taken up on 20<sup>th</sup> August, 2019 when it was informed that the Learned Counsel who had to appear on behalf of the Appellant was unwell.

On 3<sup>rd</sup> September, 2019, in spite of repeated calls, none appeared on behalf of the Appellant. The Appeal was, accordingly, dismissed for non-prosecution.

Subsequently a 'Restoration Application' was filed showing the grounds for 'Non-Appearance' and being satisfied with the 'Grounds', by order dated 18<sup>th</sup> October, 2019 passed in Restoration Application No. 19 of 2019, the Appeal was restored to its original file with clear understanding that the matter will be Listed today for Admission i.e. 24<sup>th</sup> October, 2019.

Contd/-.....

Today, also in spite of the repeated calls, none appeared to pursue the Appeal. One Mr. S. Vishwanathan who earlier not appeared informed that the counsel is not in a position to appear today.

In the circumstance, we dismiss the appeal for 'Non-Prosecution' with a clear understanding that no further 'Restoration Application' will be entertained in future.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Venugopal M)  
Member(Judicial)

(Justice Jarat Kumar Jain)  
Member(Judicial)

Ar/g