

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**  
**PRINCIPAL BENCH**

**ITEM No. 118**  
**TP (Co. Act.)- 10(PB)/2024**  
**Old CP No. 34/2014**

**IN THE MATTER OF:**

Bernina International Pvt. Ltd  
Vs.  
M/s Piccadily Hotels Pvt. Ltd.

.... Petitioner  
...Respondent(s)

**Order under Section 433(e)/433(f) of Companies Act, 1956**

**Order dated 09.06.2026**

**CORAM:**

**JUSTICE ANUPINDER SINGH GREWAL**  
**HON'BLE PRESIDENT**

**SHRI RAVINDRA CHATURVEDI**  
**HON'BLE MEMBER (TECHNICAL)**

**HYBRID HEARING (PHYSICAL & VC)**

**PRESENT:**

For the Applicant : Mr. Deepak Bashta, Ms. Sahiba, Advs. in RA-58/2025  
For the Respondent(s) : Mr. Nikhil Fernandes, Adv.

**ORDER**

**RA-58/2025**

1. This application is for restoration of the Transfer Petition, which has been dismissed on 08.10.2025 for want of prosecution.
  
2. Ld. Counsel for the Applicant submits that he had been appearing in the matter on each and every occasion except on 08.10.2025, whereon he was in personal difficulty. He had also received communication from the opposing counsel on 06.10.2025 that efforts are going on to compromise the

matter and, therefore, he was under the impression that adjudication may not be necessary in the case.

3. Ld. Counsel for the Respondent submits that he has no objection if the application is allowed, as non-appearance was due to the personal difficulty of the counsel.
4. It is apparent that non-appearance of the counsel for the Applicant on one date was bona fide as he had been appearing in the matter on the previous occasions.
5. The respondent also has no objection to the restoration of the petition. It would be in the interest of justice if the petition is heard and decided on merits.
6. **Consequently, the RA-58/2025 is allowed, and the application bearing TP (Co. Act.)- 10(PB)/2024 is restored to its original position.**
7. List the TP (Co. Act.)- 10(PB)/2024 **on 25.08.2026.**

Sd/-  
(ANUPINDER SINGH GREWAL)  
PRESIDENT

Sd/-  
(RAVINDRA CHATURVEDI)  
MEMBER (TECHNICAL)

Vinod Arora