## THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL NEW DELHI

M.A. No.132/2018

In

<u>Un-numbered Company Appeal (AT) No. /2018</u> (F.No.12/07/2018/NCLAT/UR/607)

## IN THE MATTER OF:

Rahul Aneja (Shareholder of J.D. Aneja Edibles Pvt. ...Appellant Ltd.)

Vs

Sushant Aneja & Anr.

....Respondent

Present: Deepa Kulkarni for Appellant.

## 27.07.2018

This is an application (no provision of law mentioned) to extend the time granted for compliance given under sub-rule (2) to rule 26 of the NCLAT Rules, 2016 (hereinafter referred to as the Rules).

- 2. Facts mentioned in the Miscellaneous Application in short is that the defects were intimated to the Appellant on 16.07.2018 but on that day, the Appellant could not pick up the call and subsequently he received the message on 17.07.2018 thereafter he collected the Memo of Appeal and the Appellant has taken step to remove the defects, as pointed out by the office and in doing so, there is a delay of 1 day, so the same may be condoned.
- 3. Heard learned lawyer of the Appellant. I have gone through the averments made in Miscellaneous Application as well as the defects pointed out by the office.
- 4. Learned counsel for appellant submitted that earlier the Appeal was filed in the name of J. D. Aneja Edible Pvt. Ltd, but subsequently the same has been rectified and it was filed in the name of Rahul Aneja and in doing so there was a delay of 1 day in re-filing the Memo of Appeal.
- 5. Going through submissions made by the learned lawyer of the Appellant and averments made in the Memo of Appeal, I find, as per the report of the office, the Appeal was presented on 12.07.2018 and after scrutiny, the office intimated the defects to the Appellant on 16.07.2018 and the Memo of Appeal was returned on 17.07.2018. As per the rules, the Memo of Appeal was required to be filed within 7 days but it could not be filed within that period and so for the reason mentioned in the Miscellaneous Application the delay is hereby condoned.

6.	Let the matter be listed before the Hon'ble Be	ench alongwith Limitation on
30.07.2018.		
		(Abni Ranjan Kumar Sinha) Registrar
	Dictated and corrected by me.	
		(Abni Ranjan Kumar Sinha) Registrar