

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Comp. App. (AT) (Insolvency) No. 829 of 2020

IN THE MATTER OF:

SREI Equipment Finance Ltd.

... Appellant

Versus

Dipti Atul Mehta

...Respondent

Present:

For Appellant :

Mr. Arijit Mazumdar and Ms. Arushi Mishra, Advocates

For Respondent :

Mr. Aniruth Purosothaman Giriraj, Advocate for IRP

Ms. Dipti Mehta, IRP

O R D E R

(Through Virtual Mode)

29.09.2020 The instant appeal has been preferred against the impugned order dated 30th January, 2020 on 4th September, 2020. Even the extended period for filing of appeal, i.e.15 days in addition to the prescribed period of 30 days, in terms of Section 61(2) of the I&B Code expired on 15th March, 2020 and the lockdown was imposed on 20th March, 2020. The order passed in *suo moto* by the Hon'ble Apex Court as also by this Appellate Tribunal granting exclusion of period for purposes of computation of limitation applies to post 20th March, 2020. The appeal not having preferred within the prescribed time of 45 days from the date of order, this Appellate Tribunal lacks jurisdiction to entertain the appeal.

The appeal is accordingly dismissed as time barred.

However, this order will not preclude the Appellant from approaching the Adjudicating Authority (National Company Law Tribunal), Mumbai Bench from seeking waiver in respect of costs imposed in terms of the impugned order.

**[Justice Bansi Lal Bhat]
Acting Chairperson)**

**[V.P. Singh]
Member (Technical)**

**[Shreesha Merla]
Member (Technical)**