THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL **NEW DELHI** M.A. No.131/2018

In

Un-numbered Company Appeal (AT) No.___/2018 (F.No.19/06/2018/NCLAT/UR/515)

IN THE MATTER OF:

LML Mazdoor Ekta Sangathan through it Secretary ...Appellant Shri Ram Kumar Trivedi

The National Company Law Tribunal, Allahabad &

....Respondent

Anr.

Present: Counsel for Respondent.

26.07.2018

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).

- Facts mentioned in the Miscellaneous Application in short is that the 2. Appellant filed the Memo of Appeal on 16.06.2018 and on 22.06.2018 office after scrutiny, pointed out the defects and same were intimated to the Appellant on 22.06.2018 and returned the Memo of Appeal to the Appellant on 25.06.2018. Further, as per the report of office, so many pages were found to be illegible, which take some time and so there is a delay of 21 days.
- 3. When the case is called out, no one appeared on behalf of the Appellant, only Respondent's counsel appeared.
- 4. I have gone through the averments made in Miscellaneous Application as well as the report of the office. As per report of the office, the appeal was presented on 16.06.2018, whereas the order was passed on 02.04.2018 but the certified copy was given to the Appellant on 11.04.2018 and as per report of the office the appeal is barred by limitation.
- 5. So far the delay in filing the Memo of Appeal is concerned it is the matter related with the Hon'ble Bench but so far the delay in re-filing Memo of Appeal is concerned, I have again gone through the averments of the miscellaneous application and report, admittedly, as per the report of office, the Appellant was

required to furnish the legible copy of pages and the contention of Appeal is that in doing so appellant took time of about 21 days.

- 6. Therefore, considering the grounds mentioned in the Miscellaneous Application, I think, it is appropriate to condone the delay in re-filing the Memo of Appeal. Accordingly, the delay in re-filing the Memo of Appeal is hereby condoned.
- 7. Let the matter be listed before the Hon'ble Bench on 27.07.2018.

(Abni Ranjan Kumar Sinha) Registrar

Dictated and corrected by me.

(Abni Ranjan Kumar Sinha) Registrar