

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.1282/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.25.02.2019/NCLAT/UR/234

In the matter of:

M/s Brajesh Construction Pvt. Ltd. Appellant

Versus

M/s Asit C Mehta Investment
Intermediates Ltd. Respondent

Appearance: None for the Appellant.

11.04.2019

This is an application to extend the time granted for curing the defects.

2. The facts of the case are that the Appellant filed the Memo of Appeal on 25.02.2019 and the Office after scrutiny of the Memo of Appeal, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 27.02.2019. The Appellant re-filed the Memo of Appeal on 09.04.2019. It is stated in the Interlocutory Application (IA) that the Applicant herein under wrong advise inadvertently filed the present appeal in some other format instead of filing the same in accordance to form NCLAT-1 and delay is also caused while obtaining the better copy of the pages and certified copy of the impugned decree and judgment. Hence, there is delay of 36 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. None appeared on behalf of the Appellant. Perused the averments made in the IA as well as Office report. The Appellant was required to re-file Memo of Appeal within seven days from the date

of intimation of the defects. However, the Appellant re-filed the Memo of Appeal with a delay of 36 days, hence, the case may be placed before the Hon'ble Bench for appropriate orders. IA is disposed of accordingly.

4. List the matter before the Hon'ble Bench under the heading 'admission with defect' on 12.04.2019

(Peeush Pandey)
Registrar