# THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL NEW DELHI

## I.A. No.2049/2018

## Un-numbered Company Appeal (AT) (Insolvency) No. /2018 (F.No.29/11/2018/NCLAT/UR/1091

### In the matter of:

State Bank of India .... Appellant

Versus

Jai Balaji Industries Ltd. & Ors. .... Respondents

Appearance: Mr. Robin Sirohi, Advocate for the Appellant.

#### 20.12.2018

This is an application under sub-rule (2) to Rule 26 of the NCLAT Rules, 2016 (the Rules) to extend the time granted for compliance.

- 2. The facts mentioned in the Interlocutory Application in short is that the Appellant filed the Memo of Appeal on 29.11.2018 and the Office after scrutiny of the Memo of Appeal on 30.11.2018 intimated the defects on the same day and the Memo of Appeal was returned to the Appellant on 01.12.2018. The Appellant re-filed the Memo of Appeal on 12.12.2018. The Appellant submitted that to remove the defects from the appeal and to obtain the signatures of the authorised representative on the interim application for condonation of delay had taken few days and hence, there is delay of 05 days in re-filing the appeal after removing the defect, so, the same may be condoned.
- 3. Heard the learned Counsel appearing for the Appellant, perused the averments made in the Interlocutory Application as well as Office report.

- 4. Considering the submissions made on behalf of the Appellant and for the reasons mentioned in the Interlocutory Application, which are sufficient, the delay in re-filing the Memo of Appeal is hereby condoned.
- 5. As prayed by learned Counsel, put up the case before the Hon'ble Bench under the heading for admission on 02.01.2019.
- 6. With the aforesaid order, this Interlocutory Application stands disposed of.

(Peeush Pandey) Registrar