

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2108/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.03.05.2019/NCLAT/UR/587)

In the matter of:

State of Odisha Appellant

Versus

M/s. Bhushan Steel Ltd. & Anr. Respondents

Appearance: Mr. Umakant Mishra, Advocate for the Appellant.

08.07.2019

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 03.05.2019 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 on 05.05.2019. The Appellant re-filed the Memo of Appeal on 04.07.2019. It is stated in the Interlocutory Application (IA) that counsel of the appellant intimated about the defects and the certified copy of documents to the Appellant, but because of pre-occupancy of impending assembly and general elections related work the Appellant could not cure the defects in time. Hence, there is delay of 55 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard the learned Counsel appearing for the Appellant, perused the averments made in the IA as well as Office report. The Appellant was required to re-file the 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 55 days, hence, the case may be placed before the Hon'ble Bench for appropriate orders. IA is disposed of accordingly.

5. List the matter before the Hon'ble Bench under the heading 'admission with defect' on 09.07.2019.

(Peeush Pandey)
Registrar