

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2109/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.30.05.2019/NCLAT/UR/738

In the matter of:

Koshy Varghese Appellant

Versus

John Varghese & Anr. Respondents

Appearance: Mr. Nikhil Swami and Mr. Abhijit Atur, Advocates 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 30.05.2019 and the Office after scrutiny of the Memo of Appeal on 31.05.2019, intimated the defects to the Appellant on 03.06.2019 and returned the Memo of Appeal on 06.06.2019. The Appellant re-filed the Memo of Appeal on 04.07.2019. It is stated in the Interlocutory Application (IA) that certain annexures were not in the format as per the requirements of the Tribunal. Though, the same were rectified and filed at the earliest, but delay of 25 days caused in re-filing the Memo of Appeal, which is neither wilful nor wanton, 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.

4. Considering the submissions made on behalf of the Appellant and for the reasons mentioned in the IA, which are sufficient, the delay in re-filing the Memo of Appeal is hereby condoned.

5. List the case before the Hon'ble Bench under the heading 'for admission' on 10.07.2019.

6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar