THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL NEW DELHI

Interlocutory Application No.2124/2019
Un-numbered Company Appeal (AT) (Insolvency) No.___/2019
(F.No.06.06.2019/NCLAT/UR/759

In the matter of:

Adani Ports and Special Economic Zone Ltd.　　　.... Appellant

　　　Versus

Shailen Shah, Resolution Professional of
Delhi Port Ltd. and Ors.　　　　　　　　.... Respondents

Appearance:　　　Mr. Rajeev Kumar and Mr. Mahesh Agarwal, 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 06.06.2019 and the Office after scrutiny of the Memo of Appeal on 07.06.2019, intimated the defects to the Appellant on 11.06.2019 and returned the Memo of Appeal on the same day. The Appellant re-filed the Memo of Appeal on 05.07.2019. It is stated in the Interlocutory Application (IA) that due to ensuring vacations the time was taken up in clearing the objections. Hence, there is delay of 17 days in re-filing the Memo of Appeal, so, the same may be condoned.

3.　　　Apart from that, the Registry has pointed out that defect No.02 has also not been cured by the Appellant. Defect No.02 is that Board Resolution is mentioned in the master index but not filed.

4.　　　Heard the learned Counsel appearing for the Appellant, perused the averments made in the IA as well as Office report.

5.　　　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.

6.　　　As regards defect No. 02, it is seen that an endorsement has been made on the defect sheet on behalf of the Appellant that *"All defects have been cured, except defect no.2. We undertake to provide original board resolution before Hon'ble Court, if directed"*.

7.   In view of the above, list the case before the Hon'ble Bench under the heading 'for admission' on 10.07.2019.

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

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(Peeush Pandey)
Registrar

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