

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.925/2020
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2020
(F.No.15.02.2020/NCLAT/UR/319

In the matter of:

The South Indian Bank Ltd. Appellant

Versus

S. Rajagopal, Liquidator & Ors. Respondents

Appearance: Mr. Abhimanyu Chopra, Advocate for the Appellant

28.02.2020

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 15.02.2020 and the Office after scrutiny of the Memo of Appeal on 17.02.2020, intimated the defects, and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 26.02.2020. It is stated in the Interlocutory Application (IA) that the Appellant was under the bonafide belief that the appeal was filed within the limitation, however, owing to holidays on 21.02.2020 and 22.02.2020 and due to the objection raised by the Registry on the day of reopening i.e. 24.02.2020, the Appellant could not refile the appeal within time. Hence, there is delay of two days' in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard learned Counsel appearing for the Appellant and 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'.

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

(Peeush Pandey)
Registrar