

**THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**Interlocutory Application No.734/2020**  
**Un-numbered Company Appeal (AT) (Insolvency) No. \_\_\_/2020**  
**(F.No.28.01.2020/NCLAT/UR/185**

**In the matter of:**

Rajiv Kumar Agarwalla ..... Appellant

Versus

Jitendeer Lohia ..... Respondent

Appearance: Mr. Bharat Sood, Advocate for the Appellant.

**14.02.2020**

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 28.01.2020 and the Office after scrutiny of the Memo of Appeal on 29.01.2020, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 30.01.2020. The Appellant re-filed the Memo of Appeal on 13.02.2020. It is stated in the Interlocutory Application (IA) that the matter was received by the Counsel for the Appellant/ Applicant, yet, the same could not be rectified within the period due to the ill-health of the Counsel who was suffering from fever and thereafter from dental issues (Wisdom Tooth), which required him to visit Chandigarh and his hometown in Punjab. Hence, there is delay of eight 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