

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

**Interlocutory Application No.2836/2019**  
**Un-numbered Company Appeal (AT) (Insolvency) No. \_\_\_/2019**  
**(F.No.28.08.2019/NCLAT/UR/1101)**

**In the matter of:**

Duke Sponge and Iron Pvt. Ltd.  
Through its authorized representative,  
Director Prem Chand Gupta ..... Appellant

Versus

Laxmi Foils Pvt. Ltd. .... Respondent

Appearance: Mr. Rajat Jain, Advocate for the Appellant.

**12.09.2019**

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 28.08.2019 and the Office after scrutiny of the Memo of Appeal on 29.08.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 30.08.2019. The Appellant re-filed the Memo of Appeal on 11.09.2019. It is stated in the Interlocutory Application (IA) that Director of the Appellant was not available for signing the relevant documents as he was in Allahabad to attend ongoing litigation in the Allahabad High Court. After return the Director's presence was required along with his wife, who is ailing from cancer and undergoing treatment. Hence, there is delay of six 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' on 13.09.2019.

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

(Peeush Pandey)  
Registrar