

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

**Interlocutory Application No.3660/2019**  
**Un-numbered Company Appeal (AT) (Insolvency) No. \_\_\_/2019**  
**(F.No.24.10.2019/NCLAT/UR/1441**

**In the matter of:**

M/s Sargam Builders Pvt. Ltd. .... Appellant

Versus

The Federal Bank Ltd. .... Respondent

Appearance: Mr. Mushtaq Salim, Advocate for the Appellant.

**18.11.2019**

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 24.10.2019 and the Office after scrutiny of the Memo of Appeal on 25.10.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 04.11.2019. The Appellant re-filed the Memo of Appeal on 13.11.2019. It is stated in the Interlocutory Application (IA) that the Counsel for the Appellant-Applicant was not in the State from 25.10.2019 to 03.11.2019 because of Diwali Holidays and it took considerable time to receive the Affidavit of the deponent from Kerala. Hence, there is delay of 12 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 19.11.2019.

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

(Pecush Pandey)  
Registrar