

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.4105/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.14.10.2019/NCLAT/UR/1335

In the matter of:

Cyclo Transmissions Limited Appellant

Versus

Industrial Development Bank of India Respondent

Appearance: Mr. Ashutosh Thakur and Mr. Aabhas Parimal,
Advocates for the Appellant.

12.12.2019

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 14.10.2019 and the Office after scrutiny of the Memo of Appeal on 16.10.2019, intimated the defects on the same day and returned the Memo of Appeal to the Appellant on 16.10.2019. The Appellant re-filed the Memo of Appeal on 10.12.2019. It is stated in the Interlocutory Application (IA) that due to Diwali Vacation and Chhath Puja, the appeal could not be refiled. It is further stated that the counsel for the Appellant felt acute pain in his left kidney and was diagnosed on Renal Stone. Hence, there is delay of 48 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard the learned Counsel appearing for the Appellant, perused the averments made in the IA as well as Office report. The Appellant was required to re-file the Memo of Appeal within seven days from the date of intimation of the defects. However, the Appellant re-filed the Memo of Appeal with a delay of 48 days, hence, the case may be placed before the Hon'ble Bench for appropriate orders. IA is disposed of accordingly.

4. As prayed, list the matter before the Hon'ble Bench under the heading 'admission with defect' on 13.12.2019.

(Peeush Pandey)
Registrar