

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.691/2021
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2021
(F.No.24.03.2021/NCLAT/UR/01487

In the matter of:

Dnyaneshwar Krishnji Takalkar & Ors. Appellants

Versus

B.D. Impex Pvt. Ltd. & Ors. Respondents

Appearance: Mr. Vijay Kumar, Advocate for the Appellant.

07.04.2021

This hearing has been held through video conferencing.

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 10.03.2021 and the Office after scrutiny of the Memo of Appeal on 24.03.2021, 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 01.04.2021. It is stated in the Interlocutory Application (IA) that the appeal could not be refiled within 07 days as the learned Counsel was suffering from fever. Hence, there is delay of 07 days in re-filing the Memo of Appeal, which is neither intentional nor deliberate, 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. As prayed, list the case before the Hon'ble Bench under the heading 'for admission (fresh case)'.

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

(Peeush Pandey)
Registrar