

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

M.A. No.173/2018
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2018
(F.No.06/09/2018/NCLAT/UR/825

In the matter of:

Asian Colour Coated Ispat Ltd. & Anr. Appellants

Versus

State Bank of India Respondent

Appearance: Shri Vineet Kumar, Shri Sameer Kumar Tiwari and
Shri Arvind Gupta, Advocates for the Appellants.

25.09.2018

This is an application under sub-rule (2) to Rule 26 of the NCLAT Rules, 2016 (hereinafter referred to as the Rules) to extend the time granted for compliance.

2. The facts mentioned in the Miscellaneous Application in short is that the Memo of Appeal was filed on 06.09.2018 and the Office after scrutiny intimated the defects on 10.09.2018 and the Memo of Appeal was also returned on the same day. Further, in the meantime the Counsel, who filed the Memo of Appeal has been changed by the Appellant and the present Counsel has been engaged after obtaining the No Objection Certificate and, hence, in doing so, there is a delay of five days in re-filing the Memo of Appeal, so, same may be condoned.

3. Heard the learned Lawyer appearing for the Appellants, perused the averments made in the Miscellaneous Application as well as report of the Office.

4. Learned Lawyer appearing for the Appellants submitted that earlier Memo of Appeal was filed by some other Counsel and

thereafter the Appellants obtained the No Objection Certificate and engaged the present Counsel and, so, in doing so there is a delay of five days in re-filing the Memo of Appeal, hence, same may be condoned.

5. Considering the submissions made by the learned Counsel appearing for the Appellants and for the reasons mentioned in the Miscellaneous Application, I think, it proper to condone the delay in re-filing the Memo of Appeal. Accordingly, the delay in re-filing the Memo of Appeal is hereby condoned.

6. Let the case be listed before the Hon'ble Bench under the heading for admission on 27.09.2018.

7. With the aforesaid order, this Miscellaneous Application stands disposed of.

(Abni Ranjan Kumar Sinha)
Registrar

Dictated and corrected by me.

(Abni Ranjan Kumar Sinha)
Registrar