

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.3441/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.01.10.2019/NCLAT/UR/1285

In the matter of:

Oriental Bank of Commerce Appellant

Versus

Sidhartha Buildhome Pvt. Ltd. Respondent

Appearance: Mr. S.K. Sharma and Mr. Avneet Sikka, Advocates for
the Appellant.

06.11.2019

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 01.10.2019 and the Office after scrutiny of the Memo of Appeal on 03.10.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 14.10.2019. The Appellant re-filed the Memo of Appeal on 01.11.2019. It is stated in the Interlocutory Application (IA) that the delay was caused as the Hon'ble Tribunal was closed from 02.10.2019 to 13.10.2019, so the counsel could lay his hands on the file only on 14.10.2019 and also to the fact that original board resolution could not be obtained by the counsel from the appellant bank in time. Hence, there is delay of 22 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. As prayed, list the case before the Hon'ble Bench under the heading 'for admission' on 11.11.2019.

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

(Peeush Pandey)
Registrar