

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.170/2020
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2020
(F.No.19.12.2019/NCLAT/UR/1850

In the matter of:

M/s. R S Fuel Private Limited Appellant

Versus

M/s. Ankit Metal & Power Limited Respondent

Appearance: Ms. Debamitra Adhikari, Advocate for the Appellant.

13.01.2020

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 19.12.2019 and the Office after scrutiny of the Memo of Appeal on 20.12.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 03.01.2020. The Appellant re-filed the Memo of Appeal on 09.01.2020. It is stated in the Interlocutory Application (IA) that when the Clerk of the Advocate visited the filing Department he was informed that there is delay in rectifying the defect and therefore an application for condonation of delay had to be filed in order to proceed further with the file. Hence, there is delay of 13 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 20.01.2020.

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

(Peeush Pandey)
Registrar