

**THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**I.A. No.41/2019**

**Un-numbered Company Appeal (AT) (Insolvency) No. \_\_\_/2019**  
**(F.No.18/12/2018/NCLAT/UR/1159**

**In the matter of:**

Kotak Mahindra Prime Ltd. .... Appellant

Versus

M/s Rave Scans Pvt. Ltd. & Ors. .... Respondents

Appearance: Asmita Duggal, Advocate, for the Appellant.

**07.01.2019**

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 18.12.2018 and the Office after scrutiny of the Memo of Appeal on 19.12.2018 intimated the defects to the Appellant on the same day and the Memo of Appeal was returned to the Appellant on 20.12.2018. The Appellant re-filed the Memo of Appeal on 31.12.2018. It is stated in the Interlocutory Application (IA) that delay was caused due to the fact that counsel's clerk fell sick for 5-6 days and when the clerk recovered from illness and approached the registry again for filing, then he learnt that the appeal has become time barred due to non-removal of objections within prescribed/ limitation period and it would only be filed on a condition precedent of filing an application of condonation of delay for re-filing the appeal. Hence, there is delay of 05 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.

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. List the case before the Hon'ble Bench under the heading for admission on 08.01.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)  
Registrar