## THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL NEW DELHI

## M.A. No.212/2018 Un-numbered Company Appeal (AT) (Insolvency) No.\_\_/2018 (F.No.15/11/2018/NCLAT/UR/1062

## In the matter of:

Vivek Jha .... Appellant

Versus

Daimler Financial Services India Pvt. Ltd. & Anr.

.... Respondents

Appearance: Mr. Simran Jyot Singh, Advocate for the

Appellant.

## 04.12.2018

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 Appellant filed the Memo of Appeal on 15.11.2018 and the Office after scrutiny of the Memo of Appeal on 16.11.2018 intimated the defects on the same day and the Memo of Appeal was returned to the Appellant on 19.11.2018. The Appellant re-filed the Memo of Appeal on 28.11.2018. The Appellant submitted that the matter got delayed as he was under the impression that on 24.11.2018 it was being Saturday and Guru Teg Bahadur Jayanti, Registry would be closed and hence, they re-filed the Memo of Appeal only on 26.11.2018. Hence, there is delay of five days, so, same may be condoned.
- 3. Heard the learned Counsel appearing for the Appellant, perused the averments made in the Miscellaneous Application as well as Office report.

- 4. Considering the submissions made on behalf of the Appellant and for the reasons mentioned in the Miscellaneous Application, the delay in re-filing the Memo of Appeal is hereby condoned.
- 5. As prayed by learned Counsel, put up the case before the Hon'ble Bench under the heading for admission on 07.12.2018.
- 6. With the aforesaid order, this Miscellaneous Application stands disposed of.

(Peeush Pandey) Registrar