

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.1265/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.13.03.2019/NCLAT/UR/327

In the matter of:

M/s Shrishti Electromech Pvt. Ltd. Appellant

Versus

M/s Vijay Home Appliances Ltd. Respondent

Appearance: Ms. Ateepriya Bhatia, Advocate for the Appellant.

09.04.2019

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 13.03.2019 and the Office after scrutiny of the Memo of Appeal on the same day, intimated the defects to the Appellant on 14.03.2019 and returned the Memo of Appeal to the Appellant on 15.03.2019. The Appellant re-filed the Memo of Appeal on 08.04.2019. It is stated in the Interlocutory Application (IA) that as the Appellant is based out of Hyderabad, the local Counsel was unable to cure defects immediately and then there were Holidays falling between 19.03.2019 to 23.03.2019 and also to the fact that Authorized Representative of the Appellant, Mr. Karan Tibrewala was out of station and returned on 26.03.2019. Hence, there is delay of 18 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 12.04.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar