

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2608/2019
Un-numbered Company Appeal (AT) No. ___/2019
(F.No.20.09.2018/NCLAT/UR/886

In the matter of:

Regent R & D Technologies Pvt. Ltd. & Anr. Appellants

Versus

The Registrar of Companies, Pune Respondent

Appearance: Mr. Susshil Daga, Advocate for the Appellants.

23.08.2019

This is an application to extend the time granted for curing the defects.

2. The facts of the case are that the Appellants filed the Memo of Appeal on 20.09.2018 and the Office after scrutiny of the Memo of Appeal on 22.09.2018, intimated the defects to the Appellants on the same day and returned the Memo of Appeal to the Appellants on 01.10.2018. The Appellant re-filed the Memo of Appeal on 20.08.2019. It is stated in the Interlocutory Application (IA) that Mr. Rupesh, Clerk of the Counsel after collecting the original paper book from the Registry, neither informed the Counsel nor he turned back. The phone of the Clerk was also switched off. After due inquiry, it came to the knowledge that Mr. Rupesh all of sudden left for his hometown due to medical emergency, but during travel he himself met with an accident. Parties along with Advocate was looking for him, but as the phone of the Clerk was switched off it was difficult to reach him. Hence, there is delay of 315 days in re-filing the Memo of Appeal, so the same may be condoned.

3. Heard the learned Counsel appearing for the Appellants, perused the averments made in the IA as well as Office report. The Appellants were required to re-file the Memo of Appeal within seven days from the date of intimation of the defects. However, the Appellants re-filed the Memo of Appeal with a delay of 325 days, hence, the case may be placed before the Hon'ble Bench for appropriate orders. IA is disposed of accordingly.

4. List the matter before the Hon'ble Bench under the heading 'admission with defect' on 26.08.2019.

(Peeush Pandey)
Registrar