

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

M.A. No.187/2018

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2018
(F.No.24/09/2018/NCLAT/UR/901

In the matter of:

M/s. HBN Dairies & Allied Ltd. Appellant

Versus

Mr. Rohit Sehgal
(Interim Resolution Professional) & Ors. Respondents

Appearance: Shri Ritesh Agrawal, Advocate for the Appellant.

29.10.2018

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 24.09.2018 and the Office after scrutiny of the Memo of Appeal on 25.09.2018 intimated the defects on the same day and the Memo of Appeal was returned to the Appellant on 28.09.2018, but since the Counsel of the Appellant was ill, therefore, it could not be re-filed within the time prescribed under the law, hence, there is a delay of six days in re-filing the Memo of Appeal, so, same may be condoned.

3. Heard the learned Lawyer appearing for the Appellant, perused the averments made in the Miscellaneous Application as well as Office report.

4. Learned Lawyer appearing for the Appellant submitted that he has already removed all the defects, but in doing so, there is delay of

only six days in re-filing the Memo of Appeal, so, same may be condoned.

5. 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.

6. As prayed by learned Counsel, put up the case before the Hon'ble Bench under the heading for admission on 01.11.2018.

7. With the aforesaid order, this Miscellaneous Application stands disposed of.

(Abni Ranjan Kumar Sinha)
Registrar

Dictated and corrected by me.

(Abni Ranjan Kumar Sinha)
Registrar