

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**

**NEW DELHI**

**COMPANY APPEAL (AT) No.138 OF 2017**

**In the matter of:**

**Mr Jitendra Virwani ... Appellant**

**Vs**

**M/s. MRO-TEK Realty Ltd. & Ors. .... Respondents  
Present:**

**For Appellant:-** Mr. Dharnindhar Jha, Sr. Advocate, Mr Ajesh Kumar Shankar, Ms Srishti Govil, Ms Pratiksha Misha, Mr Balaji Srinivasan, Mr Nikhil Ranjan and Mr Prashanth Murthy, Advocates.

**For Respondents:-** Mr Upamanyu Hazarika, Sr. Advocate, Mr Shailesh Mandiyal, Ms C Mohana, Cavetors Advocates.

**O R D E R**

**03.05.2017-** This appeal was filed with number of defects on 30<sup>th</sup> March, 2017. It was supposed to be re-filed within seven days after removing the defect (s). However, the defect (s) were not removed within seven days and filed as a fresh case on 1<sup>st</sup> May 2017.

In this appeal, the Appellant has challenged the order dated 5<sup>th</sup> January 2017 passed in T.P. No. 88/2016 in C.P. No. 22/2016 by National Company Law Tribunal, Bengaluru Bench whereby certain interim order has been passed. A petition for condonation of delay has been filed to condone delay of 54 days. As we find that as the Appellate Tribunal has no jurisdiction to condone the delay for more than 45 days, we dismiss the appeal on the ground of delay.

**(Justice S. J. Mukhopadhaya)  
Chairperson**

**(Mr. Balvinder Singh)  
Member (Technical)**