

**THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**Interlocutory Application No.2478/2019**  
**Un-numbered Company Appeal (AT) (Insolvency) No. \_\_\_/2019**  
**(F.No.31.07.2019/NCLAT/UR/969**

**In the matter of:**

Liquidator, Dada Dhuniwale Khandwa Power Ltd. .... Appellant

Versus

Commissioner of Income Tax (Appeals) - 1 .... Respondent

Appearance: Mr. Surinder Kumar, C.A. for the Appellant.

**13.08.2019**

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 31.07.2019 and the Office after scrutiny of the Memo of Appeal, intimated the defects and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 09.08.2019. It is stated in the Interlocutory Application (IA) that removal of certain defects required filing of certified copy of the impugned order and it is only on 07.08.2019 that the Appellant received certified copy of order of NCLT, Mumbai. Hence, there is a delay of one day in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard learned Counsel appearing for the Appellant and 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 14.08.2019.

6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)  
Registrar