

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.1001/2020
Un-numbered Company Appeal (AT) No. ___/2020
(F.No.13.02.2020/NCLAT/UR/309

In the matter of:

Deepak Kishan Chhabria and Anr. Appellants

Versus

Orbit Electricals Pvt. Ltd. & Ors. Respondents

Appearance: Mr. Amit Jajoo, Advocate for the Appellants.

04.03.2020

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 13.02.2020 and the Office after scrutiny of the Memo of Appeal on 14.02.2020, intimated the defects and to the Appellants on the same day and returned the Memo of Appeal to the Appellants on 17.02.2020. The Appellants re-filed the Memo of Appeal on 02.03.2020. It is stated in the Interlocutory Application (IA) that the Appeal was highly voluminous and runs into six volumes with hundreds of pages and documents. Hence, delay of 10 occurred in re-filing the Memo of Appeal, so, the same may be condoned.

3. Apart from that, the Registry has pointed out that defect No.5 has also not been cured by the Appellants. Defect No.5 is *“Declaration supporting the memorandum of appeal not signed by the counsel.”*

4. Heard learned Counsel appearing on behalf of the Appellants and perused the averments made in the IA as well as Office report.

5. Considering the submissions made on behalf of the Appellants and for the reasons mentioned in the IA, which are sufficient, the delay in re-filing the Memo of Appeal is hereby condoned.

6. As regard defect No.5 is concerned, it is seen that an endorsement has been made on the defect sheet on behalf of the Appellants stating that *“Regarding Point No.5, the Declaration is now signed.”*

7. In view of the above list the case before the Hon'ble Bench under the heading 'for admission'.
8. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar