

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

**Interlocutory Application No.101/2020**  
**Un-numbered Company Appeal (AT) (Insolvency) No. \_\_\_/2020**  
**(F.No.23.12.2019/NCLAT/UR/1873**

**In the matter of:**

Vikas Kasliwal ..... Appellant

Versus

SREI Equipment Finance Ltd. & Ors. .... Respondents

Appearance: Mr. Abhishek Puri and Mr. Manan Gambhir, Advocates  
for the Appellant.

**08.01.2020**

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 23.12.2019 and the Office after scrutiny of the Memo of Appeal on 26.12.2019, 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 07.01.2020. It is stated in the Interlocutory Application (IA) that as the Appellant is based in Mumbai and operates his day to day transactions from there and due to intervening vacations/ holidays, it took time remove/ cure the defects. Hence, there is delay of 05 days 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.6 has also not been cured by the Appellant. Defect No.6 is "*As proof of service is not annexed, please provide an undertaking that sufficient number of appeal memorandum along with all the necessary documents will be furnished in the case the appeal is admitted and notice is issued to the respondent/s*".

4. Heard learned Counsel appearing for the Appellant and perused the averments made in the IA as well as Office report.

5. 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.

6. As regard defect No.6 is concerned, it is seen that an endorsement has been made on the defect sheet on behalf of the Appellant stating that *“I undertake that I will provide sufficient number of appeal memorandum along with all the necessary documents in the case Appeal if admitted and Notice is issued to the to the Respondent”*.

7. In view of the above, list the case before the Hon’ble Bench under the heading ‘for admission’ on 09.01.2020.

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

(Peeush Pandey)  
Registrar