

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

M.A. No.154/2018

in

Un-numbered Compensation Application (AT) No. ___/2018
(F.No.10/08/2018/NCLAT/UR/52

In the matter of:

Maharashtra State Power
Generation Co. Ltd.

.... Appellant

Versus

Nair Coal Services Ltd. & Ors.

.... Respondents

Appearance: Shri Rohit Arora, Advocate for the Appellant

18.09.2018

This is an application to extend the time granted for curing the defects.

2. The facts mentioned in the Miscellaneous Application in short is that the Memo of Appeal was filed on 10.08.2018 and after scrutiny, the Office intimated the defects on 13.08.2018 and returned the Memo of Appeal on 19.08.2018 and the Appellant after removing the defects, re-filed the Memo of Appeal on 24.08.2018 and in doing so, there is a delay of four days in re-filing the Memo of Appeal, hence, the same may be condoned.

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

4. Learned Lawyer appearing for the Appellant submitted that he has already cured the defects pointed out by the Office.

5. Learned Lawyer further submitted that delay in re-filing the Memo of Appeal may be condoned for the reasons mentioned in the Miscellaneous Application.

6. Now the point for consideration is:

i) Whether the Appellant has explained the reasons for delay in filing the Memo of Appeal?

ii) Whether the Appellant is entitled to get any other relief?

7. Considering the submissions made on behalf of the learned Lawyer appearing for the Appellant and for the reasons mentioned in the Miscellaneous Application, I think, it proper to condone the delay in re-filing the Memo of Appeal. Accordingly, the delay in re-filing the Memo of Appeal is hereby condoned.

8. The Point No.1 is answered accordingly. So far as the Point No.2 is concerned, the Appellant is not entitled for any other relief.

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

10. As prayed by learned Counsel, list the case before the Hon'ble Bench on 24.09.2018 for hearing.

(Abni Ranjan Kumar Sinha)
Registrar

Dictated and corrected by me.

(Abni Ranjan Kumar Sinha)
Registrar