

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.250/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.19.01.2019/NCLAT/UR/74

In the matter of:

Winsome Yarns Ltd. Appellant

Versus

Ginni Filaments Ltd. Respondent

Appearance: Sylvine Sharma, Advocate for the Appellant.

01.02.2019

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 19.01.2019 and the Office after scrutiny of the Memo of Appeal on 21.01.2019 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 30.01.2019. It is stated in the Interlocutory Application (IA) that the office of the Counsel for the Appellants is located at Barakhamba Road, which was shut down due to preparation for the Republic Day on 23rd, 25th and 26th January and as a consequence the Counsel could not work on rectifying the defects in the paper book as all the volumes were kept in the office of the Counsel and they were prevented from entering their office building to collect the same. On 29.01.2019, when the Appellant attempted to refile the paper book at the Registry, they were prevented from re-filing owing to the one day's delay. Hence, there is delay of two days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard the learned Counsel appearing for the Appellant, 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 04.02.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar