

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.1145/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.13.03.2019/NCLAT/UR/330)

In the matter of:

CIL Australia North Pty. Ltd. Appellant

Versus

M/s. Sharp Corp Ltd. Respondent

Appearance: Mr. Prashant Bhardwaj, Advocate for the
Appellant.

29.03.2019

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 13.03.2019 and the Office after scrutiny of the Memo of Appeal on the same day, intimated the defects to the Appellant on 14.03.2019 and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 28.03.2019. It is stated in the Interlocutory Application (IA) that the defects could not be cured on 25.03.2019 as the instructions had to come from Australia and one of the defects being that the power of attorney was filed in photocopy and the original was required to be filed. Hence, there is delay of 07 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 01.04.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar