

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.989/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.21.02.2019/NCLAT/UR/222

In the matter of:

SundaresanNagarajan, Resolution Professional
For M/s. P Dot G Constructions Pvt. Ltd. Appellant

Versus

M/s P Dot G. Constructions Pvt. Ltd. &Anr. Respondent

Appearance: Mr. R.S. Lakshman, Advocate for the Appellant.

19.03.2019

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 21.02.2019 and the Office after scrutiny of the Memo of Appeal, 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 18.03.2019. It is stated in the Interlocutory Application (IA) that the Applicant sent a mail through post on 04.03.2019 containing the certified copy of the impugned order, which was not traceable earlier, to be annexed at the time of the re-filing of the application. The said post could only reach the counsel's office on 05.03.2019. Due to some clerical issues at the office of the Applicant wrong order was dispatched and when the said error was recognised another mail was immediately dispatched which was received by the counsel of the Applicant on 06.03.2019. Then, there was some delay in sending the application for condonation of delay in re-filing. Hence, there is delay of 19 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 20.03.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar