

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.1162/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.13.03.2019/NCLAT/UR/326

In the matter of:

Mr. Raushan Prakash
(Shareholder and Ex-Director) Appellant

Versus

Mr Kapil Arora and Anr. Respondents

Appearance: Mr. Anand Shukla, Advocate for the Appellant.

02.04.2019

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 14.03.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 15.03.2019. The Appellant re-filed the Memo of Appeal on 29.03.2019. It is stated in the Interlocutory Application (IA) that there were only two defects and when on 25th March, 2019, the Memo of Appeal was presented before the Registry, the defect no.2 was removed. However, with respect to defect No.1, the Registry did not accept the submission. Thereafter, counsel was not available. Hence, there is delay of 08 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 04.04.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar