

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.75/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.14/12/2018/NCLAT/UR/1149

In the matter of:

M/s Grid Infratech Pvt. Ltd. Appellant

Versus

M/s Hythro Power Corporation Ltd. Respondent

Appearance: Mr. Anish Kumar and Mr. Himanshu, Advocates
for the Appellant.

09.01.2019

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 14.12.2018 and the Office after scrutiny of the Memo of Appeal on 15.12.2018 intimated the defects to the Appellant on 17.12.2018 and the Memo of Appeal was returned to the Appellant on 26.12.2018. The Appellant re-filed the Memo of Appeal on 08.01.2019. It is stated in the Interlocutory Application (IA) that delay was caused due to non-availability of the main counsel for the operational creditor/ appellant due to travelling, the re-filing after removing defects could not be done within the prescribed time. Hence, there is delay of 15 days in re-filing of 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 10.01.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar