

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.186/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.13/12/2018/NCLAT/UR/1145

In the matter of:

Sri Munisuvrata Agri International Pvt. Ltd. Appellant

Versus

Bank of Baroda & Ors. Respondents

Appearance: Samridhi Malhotra, Advocate for the Appellant.

24.01.2019

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 13.12.2018 and the Office after scrutiny of the Memo of Appeal on 14.12.2018 intimated the defects to the Appellant on the same day and the Memo of Appeal was returned to the Appellant on 21.01.2019. The Appellant re-filed the Memo of Appeal on 23.01.2019. It is stated in the Interlocutory Application (IA) that delay was caused since certain documents were illegible and the legible copies of the same had to be obtained from Kolkata after searching for the original records and by co-ordinating with the local counsel. Thereafter, the Hon'ble Tribunal closed down for winter vacations on 22nd Dec., 2018 and reopened on 2nd January, 2019. From 15th Dec., 2018 to 3rd January, 2019 the advocate on record was in personal difficulty and was out of station and therefore the present appeal could not be signed. Hence, there is delay of 33 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. The Appellant was required to re-file Memo of Appeal within seven days from the date of intimation of the defects. However, the Appellant re-filed the Memo of Appeal with a delay of 33 days, hence, the case may be placed before the Hon'ble Bench for appropriate orders. IA is disposed of accordingly.

4. List the matter before the Hon'ble Bench under the heading admission with defect on 25.01.2019

(Peeush Pandey)
Registrar