

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.1516/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.12.04.2019/NCLAT/UR/497

In the matter of:

Innovative Construventures
Pvt. Ltd. & Anr. Appellants

Versus

Brainer Trade and Fin-Tech Pvt. Ltd. Respondent

Appearance: Mr. Dhaval Deshpande, Advocate for the Appellants.

02.05.2019

This is an application to extend the time granted for curing the defects.

2. The facts of the case are that the Appellants filed the Memo of Appeal on 12.04.2019 and the Office after scrutiny of the Memo of Appeal on 15.04.2019, intimated the defects and returned the Memo of Appeal to the Appellants on the same day. The Appellants re-filed the Memo of Appeal on 01.05.2019. It is stated in the Interlocutory Application (IA) that other than the minor defects, the main defect pointed out by the Registry was that certain pages in the annexures were illegible. Despite the fact that Appellants sent the clear copies, the annexures were still not fully legible, hence the same was decided to be typed in. Since 17th April, 2019 to 21st April, 2019 was Holiday in New Delhi, the said typing work could not be done. Hence, there is delay of 09 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard the learned Counsel appearing for the Appellants, perused the averments made in the IA as well as Office report.

4. Considering the submissions made on behalf of the Appellants 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 06.05.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar