

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

**Review Application No. 06 of 2020
IN
Company Appeal (AT) (Insolvency) No. 1506 of 2019**

IN THE MATTER OF:

**Excise and Taxation Department,
Bahadurgarh, Haryana**

...Appellant

Vs.

M/s. Allied Strips Ltd. & Anr.

...Respondents

**Present: For Appellant: - Ms. Manisha Agrawal and Mr. Narain,
Advocates.**

**For Respondents: - Mr. Naveen Kumar, Mr. Mohak
Sharma and Mr. A. Anand, Advocates for RP.**

O R D E R

13.03.2020— Ms. Manisha Agrawal, learned counsel for the Appellant submits that she was not present on the date the order was passed by this Appellate Tribunal on 17th January, 2020. It is submitted that a petition for condonation of delay was filed on 13th January, 2020 which is already on record. However, the same has not been taken into consideration and on wrong presumption, the appeal was dismissed on the ground of delay beyond 15 days from the date of 30 days in preferring the appeal.

According to the Appellant, the impugned order dated 30th May, 2019 was not communicated to the Appellant. Having come to know, it

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was filed immediately along with petition for condonation. If it is counted from the date of knowledge, it is well within 30 days of the date of knowledge.

Having heard learned counsel for the Appellant and Mr. Navin Kumar, learned counsel for the 'Resolution Professional', we recall the order dated 17th January, 2020 passed in Company Appeal (AT) (Insolvency) No. 1506 of 2019.

Review Application No. 06 of 2020 is allowed.

Let Company Appeal (AT) (Insolvency) No. 1506 of 2019 be listed 'for admission (fresh case)' on 19th March, 2020.

[Justice S.J. Mukhopadhaya]
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

Ar/G