

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.1190/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.19.03.2019/NCLAT/UR/368

In the matter of:

Mahendra Aluminium Co. Ltd. Appellant

Versus

State Bank of India & Ors. Respondents

Appearance: Mr. Shwetank Singh, 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 19.03.2019 and the Office after scrutiny of the Memo of Appeal on 20.03.2019, intimated the defects and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 01.04.2019. It is stated in the Interlocutory Application (IA) that on account of Holi and subsequent weekend there has been a delay of 4 days and furthermore, the delay was caused because the Appellant Company is not based in Delhi and, therefore, certain documents required for clearance of defects, such as the Board Resolution was only made available on 28.03.2019. Hence, there is delay of four 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 03.04.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar