

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.793/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.21.02.2019/NCLAT/UR/225

In the matter of:

Mancaco Exim Pvt. Ltd. Appellant

Versus

Janus International Pvt. Ltd. Respondent

Appearance: Mr. Aditya Deewean, Advocate for the Appellant.

12.03.2019

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 21.02.2019 and the Office after scrutiny of the Memo of Appeal on the same day, intimated the defects to the Appellant on 22.02.2019 and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 08.03.2019. It is stated in the Interlocutory Application (IA) that certain defects were pointed out by the Registry including dim and illegible annexures. The Counsel for the Appellant informed the Appellant of the said defects. However, the Appellant informed the counsel that even the annexures available with it are the same in quality and it does not have clear copies of the same. That on 28.02.2019, when the Counsel re-filed the appeal and also filed an undertaking to produce clear, typed copies of the same, the Registry informed that the Appellant has to move a formal application for exemption from filing clear copies of the annexures. Hence, there is delay of 07 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 13.03.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar