

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.1993/2019
Un-numbered Company Appeal (AT) No. ___/2019
(F.No.30.05.2019/NCLAT/UR/733

In the matter of:

Ramgad Minerals & Mining Ltd. Appellant

Versus

I.G. Kashinath & Ors. Respondents

Appearance: Ms. Arunima Kedia, Advocate for the Appellant.

02.07.2019

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 30.05.2019 and the Office after scrutiny of the Memo of Appeal, intimated the defects to the Appellant on the same day and returned the Memo of Appeal on 31.05.2019. The Appellant re-filed the Memo of Appeal on 20.06.2019. It is stated in the Interlocutory Application (IA) that the Registry had notified the defect that certified copy of the impugned order was not filed. The Appellant after following up on a day-to-day basis got the certified copy of the impugned order from NCLT, Bengaluru as late as on 11.06.2019. Hence, there is delay of 13 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Apart from that, the Registry has pointed out that defect No.07 has also not been cured by the Appellant. Defect No.07 is that only photocopy of Board Resolution is filed (file its original).

4. Heard learned Counsel appearing for the Appellant and perused the averments made in the IA as well as Office report.

5. Considering the reasons mentioned in the IA, which are sufficient, the delay in re-filing the Memo of Appeal is hereby condoned.

6. As regards defect No. 07, it is seen that an endorsement has been made on the defect sheet on behalf of the Appellant that *“All defects have been cured. Defect no.7 : As the original board resolution need to be retained by the Appellant company, only a copy has been filed.”* Learned Counsel appearing on behalf of the Appellant also stated that if required, the original Board Resolution will be produced before the Hon’ble Bench.
7. In view of the above, list the case before the Hon’ble Bench under the heading ‘for admission’ on 04.07.2019.
8. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar