

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2338/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.27.06.2019/NCLAT/UR/823

In the matter of:

Kishan Lal Sharma Appellant
Versus
Vikram Bajaj Respondent
Appearance: Mr. Gaurav Rana, Advocate for the Appellant.

30.07.2019

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 27.06.2019 and the Office after scrutiny of the Memo of Appeal on 01.07.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 08.07.2019. The Appellant re-filed the Memo of Appeal on 29.07.2019. It is stated in the Interlocutory Application (IA) that the Applicant under the wrong advise inadvertently filed the present appeal in some other format instead of filing the same in accordance with form NCLAT-1. Further delay is also caused while obtaining the better copy of the pages and certified copy of the impugned decree and judgment. Hence, there is delay of 22 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 31.07.2019.

6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar