<u>**THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL**</u>
<u>**NEW DELHI**</u>

<u>**Interlocutory Application No.2845/2019**</u>
<u>**Un-numbered Company Appeal (AT) (Insolvency) No.___/2019**</u>
<u>**(F.No.30.08.2019/NCLAT/UR/1121**</u>

In the matter of:

M/s Lidan Marine AB   .... Appellant

    Versus

M/s Transvahan Technologies India Pvt. Ltd.   .... Respondent

Appearance: Mr. Abhishek Jain, Advocate for the Appellant.

<u>**13.09.2019**</u>

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 30.08.2019 and the Office after scrutiny of the Memo of Appeal on the same day, intimated the defects to the Appellant on 31.08.2019 and returned the Memo of Appeal to the Appellant on 02.09.2019. The Appellant re-filed the Memo of Appeal on 11.09.2019. It is stated in the Interlocutory Application (IA) that as the counsel for the Appellant was out of station, refiling got delayed. Hence, there is delay of four 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.1 has also not been cured by the Appellant. Defect No.1 is *"Annexures mentioned in the master index are not indicated in the memorandum of appeal"*.

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

5.   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.

6.   As regard defect No.1 is concerned, it is seen that an endorsement has been made on the defect sheet on behalf of the Appellant stating

that *"All defects have been cured. W.r.t. to defect # 1, no annexures are required to be mentioned in the appeal. If Court directs, we will change accordingly."*

7.   In view of the above, list the case before the Hon'ble Bench under the heading 'for admission' on 16.09.2019.

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

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(Peeush Pandey)
Registrar

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