

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.553/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.04.02.2019/NCLAT/UR/141

In the matter of:

Muthoot Finance Appellant

Versus

Southern Investments Pvt. Ltd. Respondent

Appearance: Ms. Priyanka Ghorawat, Advocate for the
Appellant.

18.02.2019

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 04.02.2019 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 to the Appellant on 05.02.2019. The Appellant re-filed the Memo of Appeal on 15.02.2019. It is stated in the Interlocutory Application (IA) that on 12.02.2019 when the matter was re-filed within the statutory period of 7 days, the Registry of the Tribunal returned the files as the appeal was re-filed after the statutory period of 7 days and due to which appeal was to be accompanied with an application for extension of time for re-filing of appeal. Hence, there is delay of 04 days in re-filing the Memo of Appeal, which is neither intentional nor deliberate, 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 19.02.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar