

**THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**M.A. No.204/2018**

**Un-numbered Company Appeal (AT) (Insolvency) No. 2018**  
**(F.No.25/09/2018/NCLAT/UR/905)**

**In the matter of:**

Signapurkar's Leather Pvt. Ltd. .... Appellant

Versus

Prime Soles  
Through Proprietor Mr. Sanjiv Vig .... Respondent

Appearance: Mr. Manu Yadav, Advocate for the Appellant.

**04.12.2018**

This is an application under sub-rule (2) to Rule 26 of the NCLAT Rules, 2016 (hereinafter referred to as the Rules) to extend the time granted for compliance.

2. The facts mentioned in the Miscellaneous Application in short is that the Appellant filed the Memo of Appeal on 25.09.2018 and the Office after scrutiny of the Memo of Appeal on 26.09.2018 intimated the defects on the same day and the Memo of Appeal was returned to the Appellant on 04.10.2018. The Appellant re-filed the Memo of Appeal on 19.11.2018. The Appellant submitted that the Advocate of the Appellant was taken ill in the first half of October 2018, thereafter, suffered bereavement in his family and thus, could not attend work and subsequently, the Hon'ble Tribunal was closed for Diwali Holidays, hence, there is delay of 42 days in re-filing the Memo of Appeal, so, the same may be condoned. However, as per the Office report there is delay of 47 days.

3. Heard the learned Counsel appearing for the Appellant, perused the averments made in the Miscellaneous Application as well as Office report. The Appellant was required to re-file Memo of Appeal within seven days from the date of intimation of the defects. However, the Appellant re-filed the Memo of Appeal with a delay of 47 days, hence, the case may be placed before the Hon'ble Bench for appropriate orders. Miscellaneous Application is disposed of accordingly.

4. List the matter before the Hon'ble Bench under the heading admission with defect on 06.12.2018

(Peeush Pandey)  
Registrar