

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 342 of 2019

IN THE MATTER OF:

Siddharth Nayar

...Appellant

Versus

**Sanjeve Bhushan Deora, R.P. for
Woolways Exports & Anr.**

...Respondents

Present:

For Appellant : Mr. Yajur Bhalla and Mr. S. Bhalla, Advocates

For Respondents : Mr. Pulkit Deora and Mr. Basavakiran G.R., Advocates

O R D E R

08.04.2019 This appeal has been preferred by the appellant, proprietor of 'Woolways Exports' against the order dated 14th November, 2018 passed by the Adjudicating Authority (National Company Law Tribunal), Bench III, New Delhi under Sections 43, 44 and 45 of the 'Insolvency and Bankruptcy Code, 2016' (for short, 'the **I&B Code**'). Admittedly the appeal has been filed after 79 days of delay apart from 30 days period of filing the appeal.

2. As per sub-section (2) of Section 61, the appeal is required to be filed within thirty days before this Appellate Tribunal and the Appellate Tribunal is empowered to condone the delay of 'another fifteen days' after the expiry of the period of thirty days and we are not empowered to condone the delay of 79 days.

3. For the reasons aforesaid, we have no other option but to dismiss the appeal being barred by limitation.

4. We make it clear that we have not express any opinion with regard to the merit of the appeal.

[Justice S.J. Mukhopadhaya]
Chairperson

/ns/gc/