

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2276/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.12.07.2019/NCLAT/UR/887

In the matter of:

Hindustan Zinc Limited Appellant

Versus

ICOMM Tele Limited & Anr. Respondents

Appearance: Mr. Uday Nath Tiwary, Advocate for the Appellant.

25.07.2019

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 12.07.2019 and the Office after scrutiny of the Memo of Appeal on 15.07.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 16.07.2019. The Appellant re-filed the Memo of Appeal on 24.07.2019. It is stated in the Interlocutory Application (IA) that delay occasioned by the fact that the Appellant is based in Udaipur, Rajasthan and necessary signatures were to be obtained from the authorised representative who was then traveling for work. On 23.07.2019 when the Clerk approached the Tribunal for re-filing, he was informed that application for condonation of delay in re-filing need to be filed separately. Hence, there is delay of two 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 26.07.2019.

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

(Peeush Pandey)
Registrar