NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI Company Appeal(AT)(Insolvency) No. 726 of 2019

IN THE MATTER OF:

M/s Continental Piling & Excavation Pvt. Ltd.

...Appellant

Vs

M/s Capacit'e Infraprojects Ltd.

....Respondent

**Present:** 

For Appellants:

Mr. Saurabh Seth, Advocate

For Respondents: Mr. Rishi Bhatnagar and Mr. Mohan Kumar

Khullar, Advocate.

ORDER

Heard Mr. Saurabh Seth, learned Counsel appearing on 13.09.2019

behalf of Appellant and Mr. Rishi Bhatnagar, learned Counsel appearing on

behalf of Respondent.

From the records we find that free certified copy of the impugned order

dated 14.12.2018 was prepared by the National Company Law Tribunal, Mumbai

on 04.07.2019 whereinafter on receipt of the same, the Appellant preferred the

appeal on 12.07.2019. Therefore, we hold that there is no delay in preferring the

appeal. The Interlocutory Application for condonation of delay, on the basis of

aforesaid facts, has been filed by the Appellant to bring these facts to the notice

Appellate Tribunal.

The said I.A. No. 2217/2019 stands disposed of.

Mr. Rishi Bhatnagar, learned Counsel for the Respondent prays for and is allowed two weeks' time to file reply affidavit along with Vakalatnama. Rejoinder, if any, may be filed by the Appellant within two weeks thereof.

Post the case 'for Admission (After Notice)' on 17th October, 2019.

[Justice S.J. Mukhopadhaya] Chairperson

(Kanthi Narahari) Member(Technical)

Akc/Sk