

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.80/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.12/12/2018/NCLAT/UR/1143

In the matter of:

Mr. Dhiren Dave Appellant

Versus

Pantomath Capital Advisors Pvt. Ltd. Respondent

Appearance: Mr. Aditya A. Pande, Advocate for the Appellant.

11.01.2019

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 12.12.2018 and the Office after scrutiny of the Memo of Appeal on 13.12.2018 intimated the defects and returned the same to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 08.01.2019. It is stated in the Interlocutory Application (IA) that as there was Christmas Vacation in the last week of December, the Advocate was not available in Delhi to cure the defects and refile the Appeal. The Appellant was also not available for instructions, the Appeal could not be filed within prescribed time. Hence, there is delay of 19 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 14.01.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar