

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Supplementary M.A. No.211/2018
Un-numbered Competition Appeal (AT) No. ___/2018
(F.No.06/11/2018/NCLAT/UR/79

In the matter of:

Karnataka Film Chamber at
Commerce (KFCC) & Anr.

.... Appellants

Versus

Competition Commission of India & Anr.

.... Respondents

Appearance: Ms. Aakansha Kaul, Advocate for the Appellant.

07.12.2018

This is an application to extend the time granted for curing the defects.

2. The facts mentioned in the Miscellaneous Application in short is that the Memo of Appeal was filed on 06.11.2018 and the Office after scrutiny of the Memo of Appeal on 12.11.2018 intimated the defects on the same day and the Memo of Appeal was returned to the Appellant on 13.11.2018. The Appellant re-filed the Memo of Appeal on 28.11.2018. The Appellant submitted that as the Authorised Signatory of the Appellant is based in Karnataka and thus, the defects could not be cured prior to 19.11.2018. When the Appellant approached the Registry on 19.11.2018, Registry informed that condonation of delay application would be required, which also took some time. The appellant when presented the Memo of Appeal along with application on 20.11.2018, the Registry refused to accept the same as the application seeking condonation was labelled incorrectly and that the signatures of the Counsel were at an incorrect place in the verification. The Counsel for the Appellant was travelling and was not in India from 21.11.2018 to 27.11.2018 and when the Memo

of Appeal was presented on 26.11.2018 the Registry refused the accept stating that the writing and signatures on the Appeal were not of the Counsel, hence, there is delay of 09 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard learned Lawyer appearing for the Appellant, perused the averments made in the Supplementary Miscellaneous Application as well as report of the Office.

4. Considering the submissions made on behalf of the Appellant and for the reasons mentioned in the Supplementary Miscellaneous Application, the delay in re-filing the Memo of Appeal is hereby condoned.

5. As prayed by learned Counsel, put up the case before the Hon'ble Bench under the heading for admission on 12.12.2018.

6. With the aforesaid order, this Miscellaneous Application stands disposed of.

(Peeush Pandey)
Registrar