

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.885/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.11/02/2019/NCLAT/UR/171

In the matter of:

Essar Steel Asia Holdings Ltd. & Ors. Appellants

Versus

Satish Kumar Gupta & Ors. Respondents

Appearance: Mr. Rajeev Kumar, Advocate for the Appellants.

13.03.2019

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

2. The facts of the case are that the Appellants filed the Memo of Appeal on 11.02.2019 and the Office after scrutiny of the Memo of Appeal on the same day, intimated the defects to the Appellants on 12.02.2019 and returned the Memo of Appeal to the Appellants on 13.02.2019. The Appellants re-filed the Memo of Appeal on 11.03.2019. It is stated in the Interlocutory Application (IA) that the Applicant decided after legal advice that the re-filing of the Appeal should be done after the Judgment is passed in the main matter i.e. the Interlocutory Application No.431 of 2018 in Company Petition No.39 and 40 of 2018, by the Adjudicating Authority (NCLT), Ahmedabad. There after some time was taken in getting the necessary documents to get the defects cured. Hence, there is delay of 20 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard the learned Counsel appearing for the Appellants, perused the averments made in the IA as well as Office report.

4. Considering the submissions made on behalf of the Appellants 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 14.03.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar