

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.1260/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.19.04.2018/NCLAT/UR/282

In the matter of:

Pr. Commissioner of Income Tax Appellant

Versus

M/s Gujarat Themis Biosyn Ltd. & Anr. Respondents

Appearance: Mr. Ruchir Bhatia, Advocate for the Appellant.

09.04.2019

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 19.04.2018 and the Office after scrutiny of the Memo of Appeal on 24.04.2018, intimated the defects to the Appellant on 25.04.2018 and returned the Memo of Appeal to the Appellant on 08.05.2018. The Appellant re-filed the Memo of Appeal on 05.04.2019. It is stated in the Interlocutory Application (IA) that the office of the Appellant is not situated in Delhi. Accordingly, the process of removal of defects has taken time. Hence, there is delay of 343 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. The Appellant was required to re-file Memo of Appeal within seven days from the date of intimation of the defects. However, the Appellant re-filed the Memo of Appeal with a delay of 343 days, hence, the case

may be placed before the Hon'ble Bench for appropriate orders. IA is disposed of accordingly.

4. List the matter before the Hon'ble Bench under the heading 'admission with defect' on 10.04.2019

(Peeush Pandey)
Registrar