

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.1774/2020
Un-numbered Company Appeal (AT) No. ___/2020
(F.No.28.08.2019/NCLAT/UR/1105)

In the matter of:

Mr. Arul Muthu Kumaara Samy,
Ex-Shareholder of M/s Chikara Eco
Ventures Ltd.

.... Appellant

Versus

Registrar of Companies, Chennai

.... Respondent

Appearance: Mr. Ankit Gusain, Advocate for the Appellant.

06.08.2020

This hearing has been held through video conferencing.

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 28.08.2019 and the Office after scrutiny of the Memo of Appeal on 29.08.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant 01.10.2019. The Appellant re-filed the Memo of Appeal on 28.07.2020. It is stated in the Interlocutory Application (IA) that certain documents pertaining to Company, M/s Chikara Eco Ventures Ltd. could not be filed as the Appeal was filed without the said documents and it took some time to obtain the same. Once the documents were obtained from the concerned government office, it again took some time to get the documents translated. Hence, there is delay of 327 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 the 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 327 days, hence, the case may be placed before the Hon'ble Bench for appropriate orders. IA is disposed of accordingly.

4. List the case before the Hon'ble Bench under the heading 'for admission with defect'.

(Peeush Pandey)
Registrar