

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

M.A. No.179/2018
Un-numbered Company Appeal (AT) No. ___/2018
(F.No.14/09/2018/NCLAT/UR/860

In the matter of:

Yoglaxmi Investments and Trading Pvt. Ltd. Appellant

Versus

Registrar of Companies, Mumbai Respondent

Appearance: Ms. Maithili Shubhangi Tripathi, Advocate for the
Appellant.

28.09.2018

This is an application under sub-rule (2) to Rule 26 of the NCLAT Rules, 2016 (hereinafter referred to as the Rules) to extend the time granted for compliance.

2. The facts mentioned in the Miscellaneous Application in short is that the Memo of Appeal was filed on 14.09.2018 and the Office after scrutiny on 17.09.2018 intimated the defects on the same day and the Memo of Appeal was returned to the Appellant on 18.09.2018. Further, on 24.09.2018, the Appellant went to re-file the Memo of Appeal, but on that day, the Registry pointed out that one page of Annexure has not been attached by the Appellant, therefore, it could not be filed on that day. So, in order to remove that defect, there is a delay of only two days, so, same may be condoned.

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

4. Learned Lawyer appearing for the Appellant submitted that when on 24.09.2018, the Appellant went to re-file the Memo of Appeal, then the Office again pointed out the defect, so, in order to remove the defect, there is a delay of only two days, so, same may be condoned.

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

6. Let the case be listed before the Hon'ble Bench under the heading for admission on 01.10.2018.

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

(Abni Ranjan Kumar Sinha)
Registrar

Dictated and corrected by me.

(Abni Ranjan Kumar Sinha)
Registrar