

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.1126/2019
Un-numbered Company Appeal (AT) No. /2019
(F.No.25.02.2019/NCLAT/UR/238

In the matter of:

P.E. Thomas Appellant

Versus

Ravindra Belayur, RP of
Merchem Ltd. & Ors. Respondents

Appearance: Mr. Sumit Kumar Chauhan, Advocate for the
Appellant.

28.03.2019

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 25.02.2019 and the Office after scrutiny of the Memo of Appeal on the same day, intimated the defects to the Appellants on 26.02.2019 and returned the Memo of Appeal to the Appellants on 27.02.2019. The Appellants re-filed the Memo of Appeal on 27.03.2019. It is stated in the Interlocutory Application (IA) that as the Counsels and the Appellant are placed in different cities, there was a slight delay in communication and preparation & execution of the Appeal by the Appellants. Further, the Appellant was travelling to China in the month of March 2019 for some official purpose. Hence, there is delay of 22 days in re-filing the Memo of Appeal, which is neither intentional nor deliberate but due to circumstances beyond control of the Appellants, therefore, the delay 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 29.03.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar