

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.308/2020
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2020
(F.No.20.12.2019/NCLAT/UR/1868

In the matter of:

Registrar of Companies, West Bengal Appellant

Versus

M/s. Kalyanpur Cements Limited
Now known as Dalmia DSP Limited Respondents

Appearance: Mr. Vijay Joshi, Advocate for the Appellant.

23.01.2020

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 20.12.2019 and the Office after scrutiny of the Memo of Appeal on 23.12.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 02.01.2020. The Appellant re-filed the Memo of Appeal on 17.01.2020. It is stated in the Interlocutory Application (IA) that Hon'ble NCLAT was closed for winter vacation and so the applicant could collect the appeal paper-book only on 02.01.2020. Thereafter, the applicant approached the ROC Kolkata and informed the objection, which were clarified on 07.01.2020. Hence, there is delay of 18 days in re-filing the Memo of Appeal, so, the same may be condoned.

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

4. Considering the submissions made on behalf of the Appellant 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'.

6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar