

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.2083/2018

In

R.A. No. ___/2018

In

Company Appeal (AT) No.345/2018

In the matter of:

M/s. Vis-Ram Financial Services P Ltd. Appellant

Versus

M/s. Metafilms (India) Ltd. & 33 Ors. Respondents

Appearance: Nishtha Khurana, Advocate for the Appellant.

20.12.2018

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

2. The facts mentioned in the Interlocutory Application in short is that the Appellant filed the Restoration Application on 01.12.2018 and the Office after scrutiny of the Restoration Application on 03.12.2018 intimated and returned the Application to the Appellant on the same very day. The Appellant re-filed the Restoration Application on 17.12.2018 with a delay of 07 days. It is submitted in the IA that Appellant and his Counsel both are residents of Chennai and the Appellant was unavailable at Chennai due to some personal reasons. Immediately after the return, the Appellant signed the necessary papers and sent it to its Counsels in Delhi for re-filing and. Hence, the delay in compliance is neither wilful nor wanton and due to reasons beyond the control of Appellant, so, the same may be condoned.

3. Heard the learned Counsel appearing for the Appellant, perused the averments made in the Interlocutory Application as well as Office report.

4. Considering the submissions made on behalf of the Appellant and for the reasons mentioned in the Interlocutory Application, which are sufficient, the delay in re-filing the Restoration Application is hereby condoned.

5. As prayed by learned Counsel, put up the case before the Hon'ble Bench under the heading for restoration on 03.01.2019

6. With the aforesaid order, this Interlocutory Application stands disposed of.

(Peeush Pandey)
Registrar