

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.755/2019
Un-numbered Company Appeal (AT) No. /2019
(F.No.15.02.2019/NCLAT/UR/201

In the matter of:

Rajesh Vyas Appellant

Versus

Malwa Oxygen and Industrial
Gases Pvt. Ltd. & Ors. Respondents

Appearance: Mr. Vikramaditya Singh, Advocate for the
Appellant.

11.03.2019

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 15.02.2019 and the Office after scrutiny of the Memo of Appeal on the same day, intimated the defects to the Appellant on 16.02.2019 and returned the Memo of Appeal to the Appellant on 19.02.2019. The Appellant re-filed the Memo of Appeal on 08.03.2019. It is stated in the Interlocutory Application (IA) that the removal of the defects took some time as the Appellant resides in Indore, Madhya Pradesh. Thereafter, the corrected appeal, along with fresh Interim Applications were prepared by the Appellant's Counsel in Delhi and sent to the Appellant in Indore. The Appellant signed the accompanying interim application and got the additional affidavits notarized in Indore and sent them to the Counsel in Delhi. Thereafter the entire set of appeal and accompanying interim application were filed before this Hon'ble Tribunal. Hence, there is delay of 13 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.
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 on 12.03.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar