

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.1175/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.11.03.2019/NCLAT/UR/315

In the matter of:

Girish Surajmal Chandak. Appellant

Versus

Nandlal Giridhar Popat Respondent

Appearance: Mr. K. Anandh, Advocate for the Appellant.

02.04.2019

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 11.03.2019 and the Office after scrutiny of the Memo of Appeal on 12.03.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 13.03.2019. The Appellant re-filed the Memo of Appeal on 01.04.2019. It is stated in the Interlocutory Application (IA) that Counsel in Delhi examined the defect memo and found that the signatures of the Applicant were required at certain place and some pages in the Annexure had to be typed out. Though, the Counsel in Delhi immediately informed the same to the Applicant, however, due to the intervening Holi vacation, postal delay and personal difficulty (Bereavement in the family) of the Applicant the necessary corrections could not be carried out within the prescribed period. Hence, there is delay of 12 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 03.04.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar