

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2517/2019
Un-numbered Company Appeal (AT) No. ___/2019
(F.No.31.07.2019/NCLAT/UR/971

In the matter of:

M/s. Aruna Theatres & Enterprises Pvt. Ltd. Appellant

Versus

S Balasubramanian and Ors. Respondents

Appearance: Mr. Gowtham S. and Mr. Eugin, Advocates for the
Appellant.

19.08.2019

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 31.07.2019 and the Office after scrutiny of the Memo of Appeal on 01.08.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 02.08.2019. The Appellant re-filed the Memo of Appeal on 16.08.2019. It is stated in the Interlocutory Application (IA) that as the relief sought in para 11 of the appeal was not complete, the same was communicated to the local counsel at Chennai, who modified the same and sent it back to the counsel at Delhi, which was received on the 2nd week, i.e., on 14th August, 2019. Hence, there is delay of 08 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 20.08.2019.

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

(Peeush Pandey)
Registrar