

**THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**I.A. No.17/2019**

**Un-numbered Company Appeal (AT) (Insolvency) No. \_\_\_/2019**  
**(F.No.12/12/2018/NCLAT/UR/1144**

**In the matter of:**

The Dhar Textile Mills Ltd. .... Appellant

Versus

Asset Reconstruction Company (India) Ltd. .... Respondent

Appearance: Mr. Manish Shekhari, Advocate, for the Appellant.

**04.01.2019**

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 12.12.2018 and the Office after scrutiny of the Memo of Appeal on 13.12.2018 intimated the defects to the Appellant on the same day and the Memo of Appeal was returned to the Appellant on 14.12.2018. The Appellant re-filed the Memo of Appeal on 26.12.2018. It is stated in the Interlocutory Application (IA) that delay caused due to several objections raised by the Registry as regards to the affidavits of the Applicant/ Appellant as well as pagination on the annexures. Thereafter, due to unavailability of the Applicant/ Appellant due to certain personal exigencies, the counsel for the Appellant was unable to obtain the signed and notarized affidavits verifying the Memorandum of Appeal. Hence, there is delay of 05 days in re-filing the Memo of Appeal, which is completely unintentional and solely due to unavoidable circumstances, 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 07.01.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)  
Registrar