

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

M.A. No.213/2018
Un-numbered Company Appeal (AT) No. ___/2018
(F.No.29/10/2018/NCLAT/UR/1018

In the matter of:

M/s. MTS Logistics Pvt. Ltd. Appellant

Versus

Shri Brijesh Uppal Respondent

Appearance: None.

04.12.2018

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

2. The facts mentioned in the Miscellaneous Application in short is that the Appellant filed the Memo of Appeal on 29.10.2018 and the Office after scrutiny of the Memo of Appeal on 30.10.2018 intimated the defects on the same day and the Memo of Appeal was returned to the Appellant on 02.11.2018. The Appellant re-filed the Memo of Appeal on 26.11.2018. The Appellant submitted that due to Diwali vacation it could not remove defects before 11.11.2018 and when the Appellant approached the Registry for re-filing, the Registry pointed out couple of more defects and hence, it could not re-file the Memo of Appeal by 12.11.2018. When the Appellant again approached the Registry for re-filing, the Registry conveyed that application for condonation of delay in

re-filing is required to be signed by the party/client, who is reported to have gone to attend a wedding in his family and came back on 20.11.2018, hence, there is a delay of 20 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. The matter was listed yesterday, i.e., 03.12.2018 and no one appeared on behalf of the Appellant, hence, it was adjourned for today. Today, again no one appears for the Appellant.

4. List the case before the Hon'ble Bench under the heading for orders on 07.12.2018.

(Peeush Pandey)
Registrar