

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.726/2020 - In
Interlocutory Application No.725/2020 (seeking compliance of
order dated 20.12.2019)
Company Appeal (AT) (Insolvency) No. 769/2019

In the matter of:

JanakDhawan Applicant

Versus

Famous Innovations
Digital Creative Pvt. Ltd. & Ors. Respondents

Appearance: Mr. Pranav Sarthi, Advocate for the Applicant.

14.02.2020

This is an application to extend the time granted for curing the defects.

2. The facts of the case are that the Applicant filed the present Interlocutory Application (seeking compliance of order dated 20.12.2019) on 23.01.2020 and the Office after scrutiny of the I.A. on 27.01.2020, intimated the defects to the Applicant on the same day and returned the I.A. to the Applicant on 28.01.2020. The Applicant re-filed the I.A. on 10.02.2020. It is stated in the I.A. that the I.A. was under defect for want of certified copy of the order dated 20.12.2019, as the captioned Appeal could not be found due to shifting of the premises of NCLAT. The certified copy of the order was received only on 05.02.2020. Hence, there is delay of seven days in re-filing the present I.A., so, the same may be condoned.

3. Apart from that, the Registry has pointed out that defect No.4 has also not been cured by the Appellant. Defect No.4 is "*Vakalatnama not filed*".

4. Heard the learned Counsel appearing for the Applicant, perused the averments made in the IA as well as Office report.

5. Considering the submissions made on behalf of the Applicant and for the reasons mentioned in the IA, which are sufficient, the delay in re-filing the I.A. is hereby condoned.

6. As regard defect No.4 is concerned, it is seen that an endorsement has been made on the defect sheet on behalf of the Applicant stating that *"In regard to Defect No.4, I undertake that the Vakalatnama is already on record"*. The learned Counsel appearing on behalf of the Applicant also reiterates the same and states that the Vakalatnama is along with the main file.

7. In view of the above list the case before the Hon'ble Bench under the heading 'for admission'.

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

(Peeush Pandey)
Registrar