

NATIONAL COMPANY LAW APPELLANT TRIBUNAL

NEW DELHI

COMPANY APPEAL (AT)(INSOLVENCY) NO.160 OF 2019

IN THE MATTER OF:

Cholamandalam Investment & Finance Co Ltd

Appellant

Vs

R. Venkatakrisnan

Respondents:

For appellant: Mr. Avinash Kumar and Mr. Shankhy Bansal, Advocates.

For respondent: Mr. Chitranshul Sinha and Ms Sonali Khanna, Advocates.

ORDER

14.05.2019- Heard learned counsel for appellant who seeks condonation of 17 days delay in preferring the appeal.

2. On perusal of record we find that the appellant was a party to the proceedings before Learned Adjudicating Authority (NCLT), Chennai and the impugned order was passed on 14.11.2018 in the presence of the parties. The instant appeal has been filed on 16.1.2019 i.e. after 62 days of passing of the impugned order. Section 61(2) of Insolvency & Bankruptcy Code, 2016 governing the appeals provides 30 days' time for filing of appeal which may, for a sufficient cause, be extended by not exceeding 15 days. The instant appeal having been preferred 17 days beyond the maximum period of limitation provided in terms of the aforesaid provision, this Appellate Tribunal has no jurisdiction to entertain and hear the appeal. The appeal is accordingly dismissed being barred by limitation. The application seeking condonation of delay is also dismissed.

(Justice Bansi Lal Bhat)
Member (Judicial)

(Mr. Balvinder Singh)
Member (Technical)

Bm/nn