

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2178/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.31.05.2019/NCLAT/UR/742

In the matter of:

Rohit Chhabra Appellant

Versus

Sushil Kumar Gupta & Anr. Respondents

Appearance: Ms. Prachi Johri, Advocate for the Appellant.

15.07.2019

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 31.05.2019 and the Office after scrutiny of the Memo of Appeal on 03.06.2019, intimated the defects and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 11.07.2019. It is stated in the Interlocutory Application (IA) that though the Appellant was informed by the Counsels about the defects but the Appellant had suffered a stroke of the brain and had to be on complete bed rest. The Counsel for the Appellant was also away on personal work during the second half of the month of June. Hence, there is delay of 31 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. The Appellant was required to re-file the Memo of Appeal within seven days from the date of intimation of the defects. However, the Appellant re-filed the Memo of Appeal with a delay of 31 days, hence, the case may be placed before the Hon'ble Bench for appropriate orders. IA is disposed of accordingly.

5. List the matter before the Hon'ble Bench under the heading 'admission with defect' on 16.07.2019.

(Peeush Pandey)
Registrar