

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.163/2019
Un-numbered Company Appeal (AT) No. /2019
(F.No.13/12/2018/NCLAT/UR/1146

In the matter of:

Pramod Kumar Goil Appellant

Versus

Shree Bihari Forgings Pvt. Ltd. Respondent

Appearance: Shri Harish Gaur, Advocate, for the Appellant.

23.01.2019

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 13.12.2018 and the Office after scrutiny of the Memo of Appeal on 14.12.2018 intimated the defects to the Appellant on the same day and the Memo of Appeal was returned to the Appellant on 17.12.2018. The Appellant re-filed the Memo of Appeal on 21.01.2019. It is stated in the Interlocutory Application (IA) that the intimation of the objection was received by the clerk of the advocate on 16.12.2018 and he could not follow up with the re-filing of the present appeal as he was blessed with a baby girl on 21.12.2018 and for the same he had to visit his home town. He left the office on 16.12.2018 and came back on 07.01.2019, hence, there is delay of 31 days, 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 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.

4. List the matter before the Hon'ble Bench under the heading admission with defect on 24.01.2019

(Peeush Pandey)
Registrar