

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**COMPANY APPEAL(AT) NO.96 OF 2018**

**IN THE MATTER OF:**

M/s Sunshine Housing and Infrastructure Pvt Ltd. Appellant

Vs

Pratik Jayesh Vira & Anr Respondent

**Present: For Appellant:-** Mr G. Sai Kumar, Mr. Samir Malik and Ms Saumya Sharma, Mr. Farman Ali, Advocates.

**For Respondents: - None**

**ORDER**

**09.04.2018** - This appeal has been preferred by the appellant against the order dated 28.11.2017 passed by the National Company Law Tribunal, Mumbai Bench, Mumbai (hereinafter referred to as the Tribunal). Though the certified free copy of the impugned order was supplied on 19<sup>th</sup> December, 2017 but it has been filed on 26<sup>th</sup> March, 2018, after delay of 52 days beyond the statutory period of 45 days of preferring the appeal. In view of the fact that the appeal has been preferred after 52 days beyond the statutory period of 45 days of preferring the appeal, in view of sub-section (3) of Section 421 of the Companies Act, 2013 we hold that this Appellate Tribunal has no jurisdiction to condone the delay.

The appeal is accordingly dismissed being barred by limitation.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member (Judicial)