

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.60/2019
Un-numbered Competition Appeal (AT) No. ___/2019
(F.No.14.08.2019/NCLAT/UR/24

In the matter of:

Madhya Pradesh Chemists and
Druggists Association & Anr. Appellants

Versus

The Competition Commission of India & Ors. Respondents

Appearance: Mr. Ekansh Mishra, Advocate for the Appellants.

03.09.2019

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

2. The facts of the case are that the Appellants filed the Memo of Appeal on 14.08.2019 and the Office after scrutiny of the Memo of Appeal on 16.08.2019, intimated the defects to the Appellants on the same day and returned the Memo of Appeal to the Appellants on 30.08.2019. The Appellants re-filed the Memo of Appeal on the same day, i.e., on 30.08.2019. It is stated in the Interlocutory Application (IA) that the procurement of proper legible copies of the annexure, getting the translation and also other defects pointed out by the Registry lead to undeliberate and unintentional delay of seven days in re-filing of the matter, so, the same may be condoned.

3. Apart from that, the Registry has pointed out that defect No.15 has also not been cured by the Appellants. Defect No.15 is that "*Both the Vakalatnamas are not stamped (please affix one welfare stamp of Rs.10/- and Rs.3/- each on both the Vakalatnamas)*".

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

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

6. As regards defect No. 15, it is seen that endorsements have been made on behalf of the Appellants on different pages that “*Regarding defect no.15, it is clarified that there is only one Vakalatanama which has been corrected*” and “*The defect in point No.15, has been cured today on 3/9/19 as the welfare stamp of Rs.10 and Rs.3 have been affixed on the Vakalatnama*”. Learned Counsel appearing on behalf of the Appellants states that all the defects have been cured.

7. In view of the above, list the case before the Hon’ble Bench under the heading ‘for admission’ on 05.09.2019.

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

(Peeush Pandey)
Registrar