

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency)No. 670 of 2019

IN THE MATTER OF:

**Salex Tax Department,
State of Maharashtra**

.....Appellant

Vs.

Calyx Chemicals and Pharmaceuticals & Ors.

.....Respondents

Present :

For Appellant: Mr. Prashant, Advocate

O R D E R

03.07.2019 - This appeal has been preferred by the Appellant – ‘**Salex Tax Department**’ against order dated 16th April, 2019 passed by the Adjudicating Authority (National Company Law Tribunal) (‘NCLT’), Mumbai Bench.

Learned Counsel for the Appellant submits that since Sales Tax Department was not a party it had no knowledge of impugned order and it only came to know on 23rd May, 2019. If the delay is counted from 24.05.2019 then there is a delay of about three days, the appeal being preferred on 28th June, 2019.

...contd.

Having heard learned counsel for the Appellant and being satisfied with the ground, delay of 03 days in filing the appeal is hereby condoned. I.A. No. 2059 of 2019 stands disposed of.

Let notice be issued on the Respondents by speed post. Requisite along with process fee, if not filed, be filed by 5th July, 2019. If the appellant provides the e-mail address of the respondent, let notice be also issued through e-mail.

Post the case for 'admission' on **2nd August, 2019**.

In the meantime, implementation of the 'Resolution Plan' shall be subject to the decision of this appeal.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice A. I. S. Cheema]
Member (Judicial)

[Kanthi Narahari]
Member (Technical)

ss/gc