

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2405/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.11.07.2019/NCLAT/UR/878

In the matter of:

Meena V. Kothari Appellant
Versus
M/s Maberest Hotels Pvt. Ltd. Respondent
Appearance: Mr. Varun Sharma, Advocate for the Appellant.

05.08.2019

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 11.07.2019 and the Office after scrutiny of the Memo of Appeal on 12.07.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 15.07.2019. The Appellant re-filed the Memo of Appeal on 02.08.2019. It is stated in the Interlocutory Application (IA) that the documents were segregated for the purpose of the appeal, however, the same were misplaced in the office of the counsel for the appellant and after thorough search it was found that the documents were got tied up with another file and were traced out on 01.08.2019. Hence, there is a delay of 14 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.

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

5. List the case before the Hon'ble Bench under the heading 'for admission' on 06.08.2019.

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

(Peeush Pandey)
Registrar