

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2132/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.28.05.2019/NCLAT/UR/720)

In the matter of:

Bhavnesht Kanwar & Anr. Appellants

Versus

Rave Scans Pvt. Ltd. & Ors. Respondents

Appearance: Mr. Akshit Mago, Advocate for the Appellant.

09.07.2019

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 28.05.2019 and the Office after scrutiny of the Memo of Appeal, intimated the defects to the Appellant on 29.05.2019 and returned the Memo of Appeal on 02.07.2019. The Appellant re-filed the Memo of Appeal on 08.07.2019. It is stated in the Interlocutory Application (IA) that Counsel of the appellants during the month of June was travelling out of India and was checking the status online, but it was only on 02.07.2019 that his court clerk came to know about the defects. Hence, there is unintentional and inadvertent delay of 33 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. The Appellant was required to re-file the 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 33 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 10.07.2019.

(Peeush Pandey)
Registrar