

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

**I.A. No.1507/2019**

**Un-numbered Company Appeal (AT) (Insolvency) No. \_\_\_/2019**  
**(F.No.11.04.2019/NCLAT/UR/482)**

**In the matter of:**

State Bank of India ..... Appellant

Versus

M/s New Ram Traders & Anr. .... Respondents

Appearance: Mr. Karan Setiya, Advocate for the Appellant.

**02.05.2019**

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 11.04.2019 and the Office after scrutiny of the Memo of Appeal on 12.04.2019, intimated the defects and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 30.04.2019. It is stated in the Interlocutory Application (IA) that Registry has pointed out certain defects, but the same could not be cured in time as the office of the Appellant is located at Ludhiana, Punjab. Hence, there is delay of 11 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Apart from that, the Registry has pointed out that defect No.04 has also not been cured by the Appellant. Defect No.04 is that Board Resolution is not filed (file its original).

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

5. 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.

6. As regards Defect No.04, it is seen that an endorsement is made on behalf of the Appellant on the defect sheet that “In respect of defect No.4 we will file the board resolution as & when the Tribunal directs”. Learned Counsel appearing on behalf of the Appellant also reiterates the same.

7. In view of the above, list the case before the Hon’ble Bench under the heading ‘for admission with defect’ on 06.05.2019.

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

(Peeush Pandey)  
Registrar