

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2155/2019
Un-numbered Company Appeal (AT) No. ___/2019
(F.No.17.05.2019/NCLAT/UR/668

In the matter of:

Wayne-Burt Petro Chemicals Pvt. Ltd. & Anr. Appellants

Versus

M/s Chain Tools & Products Pvt. Ltd. & Ors. Respondents

Appearance: Mr. Anuj Tiwari, Advocate for the Appellant.

11.07.2019

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 17.05.2019 and the Office after scrutiny of the Memo of Appeal on 20.05.2019, intimated the defects to the Appellant on the same day, and returned the Memo of Appeal on 21.05.2019. The Appellant re-filed the Memo of Appeal on 10.07.2019. It is stated in the Interlocutory Application (IA) that as per the defect sheet, annexures were to be rearranged and the certified copy of the impugned order was to be placed on record. The Appellant is based out of Chennai and the certified copy of the impugned order got misplaced in his office and the same was found on 27.06.2019. Hence, there is delay of 44 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 44 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 12.07.2019.

(Peeush Pandey)
Registrar