

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.3039/2019
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.13.09.2019/NCLAT/UR/1184

In the matter of:

Punjab National Bank Appellant

Versus

Mr. Kiran Shah,
IRP of ORG Informatics Limited Respondent

Appearance: Mr. Vikky Dang, Advocate for the Appellant.

27.09.2019

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 13.09.2019 and the Office after scrutiny of the Memo of Appeal on 16.09.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 18.09.2019. The Appellant re-filed the Memo of Appeal on 25.09.2019. It is stated in the Interlocutory Application (IA) that the inadvertent delay of two days in re-filing of the Appeal has occurred due to circumstances beyond the control of the counsel for the Appellant. So, the same may be condoned.

3. Apart from that, the Registry has pointed out that defect No.01 has also not been cured by the Appellant. Defect No.01 that “*Fill in the blanks at page number-49, 57, 429*”.

4. Heard learned Counsel appearing for the Appellant and 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. 01, it is seen that an endorsement has been made on behalf of the Appellant on the defect sheet that “*All defects has*

been cured except page no.57 at defect no.1, regarding Affidavit. In this regard, I undertake to file a fresh Affidavit before the Hon'ble Tribunal". Learned Counsel appearing on behalf of the Appellant undertakes to remove the aforesaid defect by filing an affidavit on or before 30th September, 2019. If the defect removed, Registry will list the case before the Hon'ble Bench under the heading 'for admission' and if defect is not removed, the case be listed before the Hon'ble Bench under the heading 'admission with defect'.

7. In view of the above, list the case before the Hon'ble Bench under the appropriate heading on 01.10.2019.

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

(Ranjan Kumar)
Registrar (I/c)