

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.622/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.04.12.2018/NCLAT/UR/1111

In the matter of:

M/s B.R. Traders Appellant

Versus

Venakataramanarao Nagarajan & Ors. Respondents

Appearance: Ms. Sudeepti Singh, Advocate for the Appellant.

25.02.2019

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 04.12.2018 and the Office after scrutiny of the Memo of Appeal on 05.12.2018 intimated the defects to the Appellant on the same day and the Memo of Appeal was returned to the Appellant on 06.12.2018. The Appellant re-filed the Memo of Appeal on 22.02.2019. It is stated in the Interlocutory Application (IA) that the Appellant is a resident of Chennai and upon intimation of defects in the Appeal had to fly back to Delhi to place his initials in the Appeal, which was required as per the defects raised by the Registry. Since, the Appellant had to arrange for his travel without any pre-plan considerable time has been taken for making the travel arrangement. Hence, there is delay of 73 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 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 72 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 26.02.2019

(Peeush Pandey)
Registrar