

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.1360/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.11.03.2019/NCLAT/UR/309

In the matter of:

Central Goods and Service
Tax Department

.... Appellant

Versus

Mr. Dinkar Tiruvannapuram
Venkatasubramanian

.... Respondent

Appearance: Mr. Nitya Sharma, Advocate for the Appellant.

18.04.2019

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 11.03.2019 and the Office after scrutiny of the Memo of Appeal on the same day, intimated the defects to the Appellant on 12.03.2019 and returned the Memo of Appeal to the Appellant on 14.03.2019. The Appellant re-filed the Memo of Appeal on 15.04.2019. It is stated in the Interlocutory Application (IA) that Counsel of the appellant was under wrong impression that 07 days for re-filing the Memo of Appeal would lapse on 21.03.2019, but when the Counsel tried to re-file the Appeal on 25.03.2019 the Registry informed that the last date of re-filing lapsed on 19.03.2019 and hence, an application for condonation of delay in re-filing is required. Thereafter, the said application was drafted and sent to the Department for vetting and signatures urgently; however, due to uncontrollable administrative reasons, the same is filed with a delay of 27 days, 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.
4. 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.
5. List the case before the Hon'ble Bench under the heading 'for admission' on 22.04.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar