THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.2872/2019
Un-numbered Company Appeal (AT) (Insolvency) No.___/2019
(F.No.29.08.2019/NCLAT/UR/1115

In the matter of:

Sri Amit Kumar Agarwal
Ex-Director, Kumlai Tea and Industries Limited .... Appellant

Versus

UCO Bank & Anr. .... Respondents

Appearance: Mr. Soumya Dutta, Sukanta Sarkar and Mr. Rajesh Sen, Advocates for the Appellant.

17.09.2019

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 29.08.2019 and the Office after scrutiny of the Memo of Appeal on 30.08.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 03.09.2019. The Appellant re-filed the Memo of Appeal on 16.09.2019. It is stated in the Interlocutory Application (IA) that since one of the defect was marked with regard to the affidavit, the local council along with the appellant got it rectified in Kolkata and thereafter flew to Delhi. Thereafter, defects were removed and the Appeal was verified by the Appellant. Hence, there is delay of 10 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard learned Counsel appearing for the Appellant and 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 18.09.2019.

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

(Peeush Pandey)
Registrar