

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.1984/2019
Un-numbered Company Appeal (AT) No. ___/2019
(F.No.10.06.2019/NCLAT/UR/780

In the matter of:

Gireesh Kumar Sanghi Appellant

Versus

Ravi Sanghi & Ors. Respondents

Appearance: Ms. Alisha Chopra, Advocate for the Appellant.

01.07.2019

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 10.06.2019 and the Office after scrutiny of the Memo of Appeal on 13.06.2019, intimated the defects to the Appellant on the same day and returned the Memo of Appeal on 21.06.2019. The Appellant re-filed the Memo of Appeal on the same day, i.e., 21.06.2019. It is stated in the Interlocutory Application (IA) that an application for condonation of delay had to be brought from Hyderabad, which caused the delay. Hence, there is delay of one day in re-filing the Memo of Appeal, so, the same may be condoned.

3. Apart from that, the Registry has pointed out that defect Nos.02 has also not been cured by the Appellant. Defect No.02 is that the Memorandum of Appeal is not drawn as per the NCLAT Form-I.

4. Heard learned Counsel appearing for the Appellant and perused the averments made in the IA as well as Office report.

5. Considering 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.02, it is seen that an endorsement has been made on the defect sheet on behalf of the Appellant that - "(1) *All the objections have been removed.*; and (2) *with regard to objection No.2 it is*

stated that the facts in issue and question of law have been consolidated.”

7. In view of the above, list the case before the Hon'ble Bench under the heading 'for admission' on 02.07.2019.

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

(Peeush Pandey)
Registrar