

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.238/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.07.01.2019/NCLAT/UR/23

In the matter of:

Financial Pundits LLP Appellant

Versus

M/s. VSR Infratech Pvt. Ltd. Respondent

Appearance: Ankita Ahuja, Advocate for the Appellant.

31.01.2019

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 07.01.2019 and the Office after scrutiny of the Memo of Appeal intimated the defects and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 29.01.2019. It is stated in the Interlocutory Application (IA) that Mr. Kailash Chandra Pandey, who was the nominee of the designated partner for Financial Pandit LLP has resigned and in his place Mr. Lalit Sharma was appointed as a new nominee of designated partner vide agreement dated 05.01.2019. Accordingly, the Counsel for the Appellant had to made necessary changes in the draft of the Appeal and the signatures of the newly appointed authorized representative was required on the Appeal to file it again. However, she was informed that there is a bereavement in the family of Mr. Lalit Sharma and due to which he will not be coming to office for few days. On 18.01.2019, when the Counsel for the Appellant visited the Registry to refile the Appeal, the filing counter raised new

objections. Again on 23.01.2019 at the time of re-filing counter raised some fresh objections, which were again removed and the Counsel again went on to re-file the appeal on 28.01.2019, when she was informed that the application for condonation of delay in re-filing the appeal is to be filed separately in a paperbook. Hence, there is delay of 15 days, which is neither deliberate nor intentional, 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 01.02.2019.

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

(Peeush Pandey)
Registrar