

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.612/2019

Un-numbered Company Appeal (AT) (Insolvency) No. ___/2019
(F.No.02.02.2019/NCLAT/UR/140

In the matter of:

D. Vishnu Appellant

Versus

G. Ravikumar Official Liquidator
M/s Air Carnival Pvt. Ltd. & Ors. Respondents

Appearance: Shri Brijesh Kumar 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 02.02.2019 and the Office after scrutiny of the Memo of Appeal on 04.02.2019 intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 11.02.2019. The Appellant re-filed the Memo of Appeal on 22.02.2019. It is stated in the Interlocutory Application (IA) that after filing the appeal, the appellant was faced with certain objections, which the counsel for the appellant owing to his unavailability could not remove on time. The counsel had to attend the marriage at his home town for which he travelled from 6th to 8th and therefore the objections were lifted only on 11th and the affidavit of the client had to be called up which took time. Hence, there is delay of 11 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.
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 26.02.2019.
6. With the aforesaid order, this IA stands disposed of.

(Peeush Pandey)
Registrar