THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No.546/2019
Un-numbered Company Appeal (AT) (Insolvency) No.___/2019
(F.No.16.01.2019/NCLAT/UR/64

In the matter of:

M/s. Cholamandalam Investment and
Finance Company Ltd.   .... Appellant

     Versus

Mr. R. Venkatakrishnan,
as a Resolution Professional of
M/s. Paragon Steels Pvt. Ltd.   .... Respondent

Appearance: None for the Appellant.

18.02.2019

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 16.01.2019 and the Office after scrutiny of the Memo of Appeal intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 21.01.2019. The Appellant re-filed the Memo of Appeal on 14.02.2019. It is stated in the Interlocutory Application (IA) that the counsel (Mr. Avinash Kumar) was out of station from 15.01.2019 to 22.01.2019, so the file could be collected from the registry on 23.01.2019 and again due to some personal issues the counsel had to travel from 25.01.2019 to 08.02.2019, hence, there is delay of 22 days in re-filing the Memo of Appeal, which is neither wilful nor deliberate, so, the same may be condoned.

3.   It is seen from the defect sheet that Defect No.11 pointed out by the Registry is also not cured. Defect No.11 is that authorization letter not filed.

4.   None appeared for the Appellant. Perused the averments made in the IA as well as Office report.

5.   Considering the submissions made in the IA, which are sufficient, the delay in re-filing the Memo of Appeal is hereby condoned.

6.   As regards Defect No.11, it is seen that an endorsement is made on the defect sheet on behalf of the Appellant that "*All defects has been cured except 6, 8, 11 and the same shall be produced before the Hon'ble Tribunal*". In view of the above, the case may be placed before the Hon'ble Bench for appropriate orders

7.   List the case before the Hon'ble Bench under the heading for admission with defect on 19.02.2019.

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

(Peeush Pandey)
Registrar