

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.291/2020
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2020
(F.No.02.12.2019/NCLAT/UR/1715

In the matter of:

Utpal Kumar Guha Appellant

Versus

NTPC GE Power Services Pvt. Ltd. Respondent

Appearance: Ms. Richa Bharadwaja, Advocate for the Appellant.

22.01.2020

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 02.12.2019 and the Office after scrutiny of the Memo of Appeal on 03.12.2019, intimated the defects on the same day and returned the Memo of Appeal to the Appellant on 04.12.2019. The Appellant re-filed the Memo of Appeal on 16.01.2020. It is stated in the Interlocutory Application (IA) that delay has been caused due to circumstances beyond the control of the Applicant. Hence, there is delay of 37 days in re-filing the Memo of Appeal, 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. The Appellant was required to re-file the Memo of Appeal within seven days from the date of intimation of the defects. However, the Appellant re-filed the Memo of Appeal with a delay of 37 days, hence, the case may be placed before the Hon'ble Bench for appropriate orders.

4. List the case 'for admission with defect'.

5. IA is disposed of accordingly.

(Peeush Pandey)
Registrar