

**THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**Interlocutory Application No.844/2020**  
**Un-numbered Company Appeal (AT) (Insolvency) No. \_\_\_/2020**  
**(F.No.10.02.2020/NCLAT/UR/276**

**In the matter of:**

Prakash Chandra Kapoor & Anr. .... Appellants

Versus

Edelweiss Asset Reconstruction  
Company Limited & Anr. .... Respondents

Appearance: None.

**25.02.2020**

This is an application to extend the time granted for curing the defects.

2. The facts of the case are that the Appellants filed the Memo of Appeal on 10.02.2020 and the Office after scrutiny of the Memo of Appeal on 11.02.2020, intimated the defects to the Appellants on the same day and returned the Memo of Appeal to the Appellants on 14.02.2020. The Appellants re-filed the Memo of Appeal on 24.02.2020. It is stated in the Interlocutory Application (IA) that due to voluminous nature of documents, it took time to cure the defects. Hence, there is delay of six days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Apart from that, the Registry has pointed out that defect No.6 has also not been cured by the Appellant. Defect No.6 is *“Annexures on page nos.962 & 963 are filed in some other language, file their typed copy in English language.”*

4. No one appeared on behalf of 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 regard defect No.6 is concerned, it is seen that an endorsement has been made on the defect sheet on behalf of the Appellant stating that *“In regard to defect No.6, it is submitted that page No.962 & 963 are*

*not necessary for adjudication of the present dispute and it has been removed from the petition.”*

7. In view of the above list the case before the Hon’ble Bench under the heading ‘for admission’.

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

(Peeush Pandey)  
Registrar