

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.898/2020
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2020
(F.No.16.12.2019/NCLAT/UR/1828

In the matter of:

Srei Equipment Finance Ltd. Appellant

Versus

Shree Shankar Infratech Pvt. Ltd. & Ors. Respondents

Appearance: Mr. Devesh Ajmani, Advocate for the Appellant.

27.02.2020

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 16.12.2019 and the Office after scrutiny of the Memo of Appeal on 17.12.2019, intimated the defects to the Appellant on 18.12.2019 and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 25.02.2020. It is stated in the Interlocutory Application (IA) that the though the Appellant endeavoured to cure all the defects expeditiously, there were some documents which had to be typed before filing. Under these circumstances, delay of 63 days has inadvertently crept in re-filing the accompanying 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. 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 63 days, hence, the case may be placed before the Hon'ble Bench for appropriate orders. IA is disposed of accordingly.

4. List the matter before the Hon'ble Bench under the heading 'admission with defect'.

(Peeush Pandey)
Registrar