

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.1127/2020
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2020
(F.No.13.02.2020/NCLAT/UR/304)

In the matter of:

Employees State Insurance Corporation,
Regional Office, Rajender Bhawan Appellant

Versus

M/s. V.M. Confectionery Limited Respondent

Appearance: Mr. Paras Sachdeva, Advocate for the Appellant.

16.03.2020

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 13.02.2020 and the Office after scrutiny of the Memo of Appeal on 14.02.2020, intimated the defects and returned the Memo of Appeal to the Appellant on the same day. The Appellant re-filed the Memo of Appeal on 13.03.2020. It is stated in the Interlocutory Application (IA) that mother of the clerk of the counsel got ill after obtaining the objection sheet, therefore, the clerk left for his native place without communicating where the files were kept. Despite their best efforts the counsel could not find the appeal paper-books and it is only when the clerk come to the office on 06.03.2020 the paper-books were obtained. Hence, there is delay of 21 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard learned Counsel appearing for the Appellant and 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'.

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

(Peeush Pandey)
Registrar