

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.1207/2020
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2020
(F.No.25.02.2020/NCLAT/UR/387

In the matter of:

Edelweiss Finvest Pvt. Ltd. Appellant

Versus

Ramswarup Industries Ltd. Respondent

Appearance: Mr. Shatadru Chakraborty, Advocate for the Appellant.

20.03.2020

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 25.02.2020 and the Office after scrutiny of the Memo of Appeal on 26.02.2020, 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 18.03.2020. It is stated in the Interlocutory Application (IA) that the Advocate for the Appellant had caught viral fever. Thereafter, due to Holi festival, the appellant went her hometown and joined the office back on March 11, 2020 and thereafter took steps to cure the defects. However, when the clerk of the Advocate tried to re-file the Appeal, it was informed by the Registry that a formal application for condonation of delay in re-filing is required. Hence, there is delay of 14 days in re-filing the Memo of Appeal, so, the same may be condoned.

3. Heard learned Counsel appearing on behalf of 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