

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.726/2021
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2021
(F.No.23.03.2021/NCLAT/UR/01404

In the matter of:

I.N.R. Constructions

.... Appellant

Versus

Sky High Infraland Pvt. Ltd.
Through Resolution Profession & Anr.

.... Respondents

Appearance: Mr. Deep Prabhu, Advocate for the Appellant.

12.04.2021

This hearing has been held through video conferencing.

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 22.03.2021 and the Office after scrutiny of the Memo of Appeal on 23.03.2021, intimated the defects on the same day. The Appellant and returned the Memo of Appeal to the Appellant on 24.03.2021. The Appellant re-filed the Memo of Appeal on 09.04.2021. It is stated in the Interlocutory Application (IA) that the documents were misplaced during his transit to New Delhi via his home town and filed on 01.04.2021, hence, there is delay of 9 days in re-filing the Memo of Appeal, which is neither intentional nor deliberate, 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. As prayed, list the case before the Hon'ble Bench under the heading 'for admission (fresh case)'.

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

(Peeush Pandey)
Registrar