

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Interlocutory Application No.1129/2020
Un-numbered Company Appeal (AT) (Insolvency) No. ___/2020
(F.No.02.03.2020/NCLAT/UR/444)

In the matter of:

Hem Chander Appellant

Versus

Ganesh Prasad Agarwal & Ors. Respondents

Appearance: Ms. Mehak Khurana, 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 02.03.2020 and the Office after scrutiny of the Memo of Appeal on 03.03.2020, intimated the defects to the Appellant on the same day and returned the Memo of Appeal to the Appellant on 04.03.2020. The Appellant re-filed the Memo of Appeal on 13.03.2020. It is stated in the Interlocutory Application (IA) that delay occurred due to the fact that the Tribunal was closed from 07.03.2020 to 11.03.2020 and though the Counsel after came to know that the Registry of the Tribunal is open on 11.03.2020, could not re-file the Memo of Appeal on time as the Registry was working till 01:00 PM. Hence, there is delay of three days in re-filing the Memo of Appeal, so, the same may be condoned.

2. Heard learned Counsel appearing on behalf of the Appellant and perused the averments made in the IA as well as Office report.

3. 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.

4. List the case before the Hon'ble Bench under the heading 'for admission'.

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

(Peeush Pandey)
Registrar