

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

M.A. No.36/2018

In

Unnumbered Contempt Petition No. ____/2018

In

Company Appeal (AT) No. 111 /2017

In the matter of:

Northbridge Consulting Pvt. Ltd. & Ors.

.... Applicants

Versus

Aneesha Dutt & Anr.

.... Respondents

Appearance: Mr. Sreenath, Advocate for the Applicants.

13.02.2018

This is an application (no provision of law mentioned) to extend the time granted for compliance given under sub-rule (2) to rule 26 of the NCLAT Rules, 2016 (hereinafter referred to as the Rules).

2. The allegation in the application is that the counsel for the applicants was travelling and that he returned to Delhi on 04.02.2018. He was taken ill thereafter and could resume work only on 07.02.2018. Time was also taken for obtaining the certified copy of the order dated 25.04.2017. Hence the prayer is to condone the delay of 14 days' in filing the application after curing the defects.

3. The points that arise for consideration are: -

- i) Is the time given for complying the direction to cure the defects liable to be extended under sub-rule (3) to rule 26 of the Rules?
- ii) Reliefs.

4. **Point No. (i):** - Heard the learned counsel for the Applicants. The aforesaid Contempt Application has been moved alleging violation of the order dated 25.04.2017 of this Hon'ble Appellate Tribunal.

The Contempt Application was initially presented before the Registry on 22.01.2018. The application when scrutinized on 24.01.2018 was found to be defective and hence on the same day the applicants were informed of the defects with a direction to submit the same after curing the defects within a period of seven days. The period of seven days expired on 31.01.2018. However, the application was submitted after curing the defects only on 08.02.2018. Hence the Section put up the matter before me under sub-rule (2) of Rule 26.

5. For the reasons stated in the M.A. and in the interest of justice, the time for compliance granted under sub-rule (2) to Rule 26 is extended by exercising the power under sub-rule (3) to Rule 26. Point answered accordingly.

6. **Point No.(ii):** - M.A. No.36/2018 is allowed.

List the matter before the Hon'ble Appellate Tribunal on 15.02.2018.

(C.S. Sudha)
Registrar