

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

M.A. No.126/2018

in

Un-numbered Company Appeal (AT)) (Insolvency) No. ____/2018
(F.No.27/06/2018/NCLAT/UR/541

In the matter of:

J Technologies India Ltd.

.... Appellant

Versus

Jura IT Solutions Pvt. Ltd.

.... Respondent

Appearance: None for the Appellant

19.07.2018

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 facts mentioned in the Miscellaneous Application for delay in filing the Memo of Appeal is that the Appellant filed the present Appeal on 27.06.2015 [sic]. After scrutiny, the Office communicated the defects on 02.07.2018 and the file was returned on 03.07.2018. The Office has also pointed out the defect regarding the declaration and verification supporting the Memorandum of Appeal, but since the authorized signatory was not available, therefore, the declaration and verification could not be done in time and in doing so, there is delay of 2 days in re-filing the Memo of Appeal and the same may be condoned.

3. No one appears on behalf of the Appellant. I have gone through the averments made in the Miscellaneous Application and on careful consideration of the same, I find the ground taken by the Appellant for not filing the Memo of Appeal within time is that due to non-availability of the authorised signatory of the Appellant, the defect pointed out by the Office regarding the declaration and verification

could not be done in time and in doing so, there is a delay of two days only.

4. Now the point for consideration is:

- i) Whether the Appellant has explained the reasons for delay in filing the Memo of Appeal?
- ii) Whether the Appellants are entitled to get any other relief?

5. Considering the averments made in the Miscellaneous Application by the Appellant, delay in re-filing the Memo of Appeal is hereby condoned.

6. The Point No.1 is answered accordingly. So far as the Point No.2 is concerned, the Appellant is not entitled for any other relief.

7. With the aforesaid order, this Miscellaneous stands disposed of.

8. Let the case be listed before the Hon'ble Bench on 23.07.2018 for admission.

(Abni Ranjan Kumar Sinha)
Registrar

Dictated and corrected by me.

(Abni Ranjan Kumar Sinha)
Registrar