

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No. 220 of 2017

IN THE MATTER OF:

Montreaux Resorts Pvt. Ltd. & Ors.

.. Appellants

Versus

Ascot Hotel & Resorts Ltd. & Ors.

.. Respondents

Present:

For Appellant: Shri Deepak Khosla, Advocate

For Respondent: Mr. Rishi Sood, Advocate for Respondent No. 1

O R D E R

12.02.2018 This appeal has been preferred by Appellants against the judgment dated 13.01.2017 passed by the National Company Law Tribunal, New Delhi (hereinafter referred as “Tribunal”) in CP No. 144(ND) of 2016 on 12.04.2017 with defects. After correction of the defects the appeal was again re-presented on 05.07.2017 and the delay in refiling has been condoned.

Learned Counsel for the Respondents submits that there is delay in preferring the appeal and no application for condonation of delay has been filed. However, we cannot dismiss the appeal on such ground as appeal can be entertained if filed within 45 days from the date the order of Tribunal is communicated to the parties in terms of Sub Section (3) of Section 421. From

the record we find that the appeal has been preferred on 21.04.2017 which is within time.

Heard Mr. Deepak Khosla, learned Counsel appearing on behalf of the Appellant who has also filed a Written Submission. Hearing of the learned Counsel for the Appellant is concluded. Post the matter on **19th February, 2018 at 2 P.M.** for hearing of the learned Counsel appearing on behalf of the Respondents.

[Justice S.J. Mukhopadhaya]
Chairperson

[Balvinder Singh]
Member (Technical)

akc/gc