

**IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL**

**NEW DELHI**

**Company Appeal (AT) No. 53 and 54 of 2017**

**1. Mr. Ashwin Kumar Gupta  
2. M/s Sudhir Kumar Gupta**

**.... Appellants**

**Vs.**

**M/s Visagar Polytex Ltd.**

**.... Respondents**

**Present: For Appellant: - Mr. Rahul Chitnis with Mr. Aaditya Pande,  
Advocates**

**08.03.2017-** Heard learned counsel for the appellant. Taking into consideration the grounds shown in both the appeals, delay of 41/42 days in preferring both the appeals are condoned.

Learned counsel appearing on behalf of the appellant submits that delay in making application will not be fatal as it will not affect the third party right. Original share certificates are with the appellants. If that be so then how the said share can be transferred or stood transferred in favour of any third party.

Let notice be issued on respondents of each appeal by speed post. Requisite with process fee, if not filed, be filed by tomorrow. If the appellant provides e-mail address of the respondents of each appeal, the office will issue notice through e-mail also.

Post the matter on 23<sup>rd</sup> March 2017.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Mr. Balvinder Singh)  
Member(Technical)

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