

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI
Company Appeal (AT) (Ins) No. 767 of 2023 &
I.A. No. 2587 of 2023

IN THE MATTER OF:

Sandeep Anand

...Appellant

Vs.

Gopal Lal Baser

Resolution Professional Wianxx Impex Pvt. Ltd.

...Respondent

Present:

For Appellant: Mr. Rajat Bhardwaj, Advocate

For Respondent: Mr. Umesh Singhal, Asmita Duggal, CS Akshit Gupta

ORDER

03.07.2023: I.A. No. 2587 – This is an application praying for condonation of delay. Under Section 61 sub-section (2) proviso, the jurisdiction to condone the delay conferred to this Tribunal is only 15 days. The ground taken in paragraph 5 of the affidavit is that 7th April was declared as a **‘Public Holiday’** and 8th and 9th being holiday, the appeal is treated to be filed within 45 days.

2. We are of the view that the benefit as claimed in paragraph 5 is not available which benefit can be availed only with respect to the period of limitation provided with regard to period of 30 days.

3. We, thus, are of the view that the delay in filing the appeal being beyond 15 days, the application praying for condonation of delay has to be dismissed. Consequently, the memo of appeal is rejected.

[Justice Ashok Bhushan]
Chairperson

[Mr. Barun Mitra]
Member (Technical)

ss/nn