

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 880 of 2026

&

I.A. No. 3375, 3483 of 2026

IN THE MATTER OF:

Alt Sahakari Awas Samiti

...Appellant(s)

Versus

Sarvottam Realcon (Pvt.) Ltd.

...Respondent(s)

Present:

For Appellant(s) : Mr. Amit Keshri Pradhan, Advocate.

For Respondent(s) : Mr. Abhijeet Sinha, Sr. Advocate with Mr. Kunal Godhwani and Ms. Kinjal Chadha, Advocates for R1.

ORDER
(Hybrid Mode)

25.05.2026 **I.A. No. 3375 of 2026:** This is an application praying for condonation of 273 days delay in refiling of the Appeal. Only reason given is in Para-3 of the application, which is as follows:

“3. That the Appellant on 27.07.2025 has preferred Company Appeal, however due to pending matters of the Appellant before the High Court of Judicature at Allahabad pertaining to the same matter, as-well-as before the Housing Commissioner, Avas Vikas Parishad, Lucknow the defects could not be cured within the stipulated time of 7 days as per the NCLAT Rules 2016. There has been delay of 273 in refiling the Appeal.”

The reason given in Para-3 cannot be held to be any sufficient reason for condonation of 273 days in refiling of the Appeal which refiling was required to be done under Rule within 7 days, inordinate delay of 273 days in refiling of the Appeal cannot be condoned and application for condoning

refiling delay is rejected. Consequently, the Memo of the Appeal as well as delay condonation is rejected.

**[Justice Ashok Bhushan]
Chairperson**

**[Barun Mitra]
Member (Technical)**

Abhishek/Manu