

THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Interlocutory Application No.5543/2026
Un-numbered Company Appeal (AT) (Ins.) No. ____/2026
(F.No.19.06.2026/NCLAT/UR/06057)

In the matter of:

Gurudeo Datta Construction Company,
(Proprietary Concern of Santosh Pundik Sankpal) Appellant

Vs.

TotalEnergies Marketing India Pvt. Ltd.Respondent

Appearance: Ang Bajaj, Advocate for Appellants.

7th August, 2026
(Hybrid Mode)

This is an application to extend the time granted for curing the defects.

The facts giving rise to present IA (re-filing) are that the Appellant e-filed the Memo of Appeal on 02.06.2026. The Office after scrutiny of the Memo of Appeal on 19.06.2026, intimated the defects to the Appellant on the same day. The Appellant re-filed the Appeal on 31.07.2026. It is stated in the IA that Registry raised defects multiple times and on account of continuous heavy rains in Mumbai, a majority of the staff and advocates living on the outskirts of Mumbai were unable to commute to the office of the Advocates of the Applicant. Persistent issues in internet services, electric supply and water supply on account of heavy rains were also rampant in Mumbai. Hence, there is delay of 34 days in re-filing the Memo of Appeal, so the same may be condoned.

Heard Ld. Counsel appearing on behalf of the Appellant and perused the averments made in the IA as well as Office report.

The Appellant were required to re-file the Memo of Appeal within seven days from the date of intimation of the defects. However, the Appellant re-filed the Memo of Appeal with a delay of 35 days, hence, the case be placed before the Hon'ble Bench with defect for appropriate orders.

List the case before the Hon'ble Bench under the heading 'for admission with defect (fresh case)'.

(Raj Kumar)
Registrar