

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Comp. App. (AT) (Ins) No. 1238 of 2024
&
I.A. No. 4447 of 2024

IN THE MATTER OF:

**The Chief Engineer The Transmission Corporation of
Andhra Pradesh** **...Appellant**

Versus

Impex Metal & Ferro Alloys Ltd. & Anr. ...Respondents

Present:

For Appellant : Mr. Akshay Goel, Advocate.

For Respondents : Mr. Rishav Banerjee, Ms. Supriyo Godle, Mr. Arijit Mazumdar, Ms. Madhuja Barman, Ms. Anoushka Dey, Advocates.

With
Comp. App. (AT) (Ins) No. 1240 of 2024
&
I.A. No. 4451 of 2024

IN THE MATTER OF:

**The Chief Engineer The Transmission Corporation of
Andhra Pradesh** **...Appellant**

Versus

Impex Metal & Ferro Alloys Ltd. & Anr. ...Respondents

Present:

For Appellant : Mr. Akshay Goel, Advocate.

For Respondents : Mr. Rishav Banerjee, Ms. Supriyo Godle, Mr. Arijit Mazumdar, Ms. Madhuja Barman, Ms. Anoushka Dey, Advocates.

ORDER (Hybrid Mode)

02.09.2026 It is an unfortunate part that the expected assistance has not been extended by the Counsels on record. The Company Appeal, after its

institution before this Tribunal, as back as on 29.05.2024, after the exchange of pleadings and arguments, is pending for its final adjudication. But both the company appeals are accompanied with pending I.A. Nos. 4447/2024 and 4451/2024 respectively, which have not been pressed by the Appellant so far. It is a settled law that until and unless the delay is condoned, there is no appeal in existence in the eye of law. We could have dismissed the appeal on this ground itself that since the Appellant has not pressed the delay condonation application, the appeal could not survive. But still, taking a pragmatic view because now the appeal has reached at its matured stage. The delay that is being sought to be condoned in each of these company appeals is that of 13 days, and the reason that is given is that since being a Public Sector Unit of Govt. of Andhra Pradesh, they were engaged in choosing the counsels and drafting the matter. Hence, there had chanced a delay of 13 days. Having heard Ld. Counsel for the parties and finding the reasons to be satisfactory, the delay of 13 days that has chanced in each of the company appeals would stand condoned. Accordingly, I.A. Nos. 4447/2024 and 4451/2024 in each of the company appeals respectively would stand allowed.

2. List these company appeals on **13.10.2026**.

[Justice Sharad Kumar Sharma]
Member (Judicial)

[Arun Baroka]
Member (Technical)

[Indevar Pandey]
Member (Technical)

MT/RR