

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 1900 of 2025

&

I.A. No. 7291, 7398 of 2025

IN THE MATTER OF:

Jampana Constructions Pvt. Ltd.

...Appellant

Versus

NBCC (India) Ltd.

...Respondent

Present:

For Appellant : Mr. S. Sriranga, Sr. Advocate with Mr. Tushar Kanti Mohindroo, Mr. Arnav Khanna, Ms. Sumana Naganand and Ms. Ashwini R., Advocates.

For Respondent : Ms. Shilpi Chowdhary and Mr. Amarkant Patel, Advocates.

O R D E R
(Hybrid Mode)

17.07.2026: We have heard the arguments on I.A. No.7291/2025, which pertains to the delay of 110 days in refiling.

2. We have heard the arguments advanced by the learned counsel for the respondent and also perused the rejoinder to the said I.A., wherein paragraph 10 is as under:

“10.Re Para 7:

*The averments made in this paragraph are untenable and hence, denied. It is submitted that the defects raised by the Registry of this Hon’ble Tribunal on 06.08.2025 were twenty-three (23) in number which required numerous communications from both the Bangalore and Delhi office(s) of the counsel for the Appellant and from the Appellant company as well. A true copy of the defect sheet dated 06.08.2025 is annexed herewith as **Annexure-1**.*

Further, the counsel which was managing the case resigned during August 2025 which created a hurdle for the Appellant to co-ordinate and cure the defects within time. Therefore, it is submitted that the

Appellant has stated facts and events which bonafidely accumulated to the delay in curing the defects and re-filing of the Appeal. Hence, the contentions raised by the Respondent holds no basis and ought to be rejected.”

3. It is the submission of the learned counsel for the appellant the defects were raised on 6 occasions in the present appeal and except for the second occasion which lead to the delay in re-filing, the defects were immediately removed. The reason for delay in removing the defects sheet of 06.08.2025 are stated as above.

4. However, at this stage, it is told to us I.A. No.7398/2025 is still pending pertaining to 2 days delay in filing. However, the learned counsel for the respondent submits the appeal is filed beyond the statutory period of 45 days and as such the period beyond 45 days cannot be condoned in any circumstances.

5. The learned counsel for the respondent seeks time to argue on this application.

List it again on **25th August, 2026.**

**[Justice Yogesh Khanna]
Officiating Chairperson**

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

himanshu/md