NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) No. 429 of 2026
& I.A. No. 8109 of 2026

IN THE MATTER OF:

Jagdamba Industries Ltd. & Anr. **...Appellant(s)**

Versus

--- **...Respondent(s)**

Present:
For Appellant(s) : Mr. Krishnendu Datta, Sr. Advocate with Mr. Anuj Tiwari, Ms. Rusha Mitra, Mr. Yash Tandon, Mr. Shivendra Nath Mishra, Mr. Sameer Mishra, Mr. Vaibhav Vats, Mr. Veendra Prasad, Advocates.

For Respondent(s) :

O R D E R
(Hybrid Mode)

06.11.2026: **I.A. No. 8109 of 2026:** We have heard learned counsel for the Appellant and perused the record. Learned counsel for the Appellant submits that the impugned order was passed on 23.07.2026 and the appeal was required to be filed within 45 days from the date copy of the order was made available and said period of 45 days has ended on 06.09.2026, however, the appeal has been filed on 09.10.2026 after delay of 33 days.

2. It is further submitted that the delay which has occurred in filing the appeal is neither intentional nor deliberate and the same has occurred on account of reasons which were not under the control of the Appellant.

3. It is further submitted that the Appellants are two separate companies transferor and transferee and both companies function from same office and

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therefore, a lot of paper work was to be done for the purpose of filing the appeal. Moreover, the companies are situated at Kolkata and the respective counsels are located at New Delhi and therefore, the delay as stated above has occurred.

4. Having heard learned counsel for the Appellant and perused the record, it appears that the delay of 33 days has occurred in refiling the appeal. However, in our considered opinion the same has been sufficiently explained. Otherwise also, the appeal has been filed within condonable jurisdiction of this Tribunal within 45 days (beyond stipulated 45 days). Having regard to above facts and circumstances, application for condonation of delay is allowed and delay of 33 days occurred in filing the appeal is hereby condoned. I.A. No.8109 of 2026 is disposed of accordingly.

5. List this appeal on **20.11.2026** under the same caption.

6. Having regard to the request made by learned counsel for the Appellant, we provide liberty to learned counsel for the Appellant to file written note of arguments of not more than 3-4 pages as well as case laws which he intend to file in support of his submissions.

[Justice Mohammad Faiz Alam Khan]
Member (Judicial)

[Naresh Salecha]
Member (Technical)

Archana/km