In the National Company Law Tribunal, Jaipur

Item No. 12
IA No. 220/JPR/2019
CP No. (IB)- 103/7/JPR/2019

UNDER SECTION 7 OF IBC, 2016

In the matter of:

Enkay (India) Rubber Co. Pvt. Ltd. .....Applicant/Petitioners

VS.

Prayag Polytech Pvt. Ltd. .....Respondent

Order delivered on 19.07.2019

CORAM
DR. DEEPTI MUKESH,
HON'BLE MEMBER (JUDICIAL)

For Petitioner (s) : None-appeared

For Respondent(s) : Sandeep Taneja, Adv.

ORDER

IA No. 220/JPR/2019:-

This is application is filed for waiver of the cost imposed on the Corporate Debtor for delay in filing the reply. The learned counsel states that the order dated 31st May, 2019 records that the Corporate Debtor was given two weeks time to file reply. After the same date the authorize representative was indisposed and was unable to travel from Delhi to give instructions. Thereafter the court vacation followed when the learned counsel was not available. Hence, reply could not be filed as directed. Learned counsel further states that in the next date of hearing on 12th July, 2019, the reply was ready and requested for allowing to file the same but the same was allowed subject to cost. It is further submitted that the delay is

not intentional or deliberate and seeks the indulgence of the Court for wavier of the said cost. Considering the submission made in the application and no objection raised from the learned counsel of the applicant. In the interest of justice, the application is allowed thereby the cost of Rs. 5,000/- is wave and reply to be taken on record. Application is disposed off in terms of above order.

Sd/-

(DR. DEEPTI MUKESH)
MEMBER (JUDICIAL)

Himani