

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Company Appeal (AT) (Insolvency) No. 363 of 2023

&

I.A. No. 1215 of 2023

IN THE MATTER OF:

Square 1Packaging & Polymers

...Appellant

Versus

Matoshri Laxmi Sugar Co-Generation Industries Ltd.

...Respondent

Present:

For Appellant: Mr. Pritesh Burad, Ms. Samita Vaviya, Advocates

For Respondent: Mr. Shivalok Y, Manisha K., T.N.D. Prasad, Prakasa,
Advocates

O R D E R

25.04.2023: I.A. No. 1215 of 2023. This is an Application praying for condonation of 40 days delay in filing the Appeal. This Appeal has been filed against the Order dated 01.12.2022 passed by the Adjudicating Authority by which Company Petition filed by the Appellant was dismissed.

2. This Appeal has been e-filed on 09.02.2023. There is delay of 40 days in filing the Appeal. The prayer made in the Application is to condone 40 days delay. Our jurisdiction to condone the delay is 15 days only. Learned Counsel for the Appellant submits that order was not uploaded hence delay has occasioned. He further submits that partners were travelling.

3. We are of the view that limitation to file Appeal commences from the date when the Order is pronounced especially when the Learned Counsel for the Appellant was present when the Order was passed.

4. We thus are of the view that there is no ground to condone the delay. Delay Condonation Application (I.A. No. 1215 of 2023) is dismissed. Consequently, the Memo of Appeal is rejected.

[Justice Ashok Bhushan]
Chairperson

[Mr. Barun Mitra]
Member (Technical)

Basant/nn