
(2025) 02 NCLAT CK 0934

In the National Company Law Appellate Tribunal

Case No : Company Appeal (AT) (Insolvency) No. 64 of 2025 & I.A. No. 258 of 2025

Bahar Housing & Developers

APPELLANT

Vs

Hemant J Mehta

RESPONDENT

Date of Decision : 03-02-2025

Acts Referred:

Citation : (2025) 02 NCLAT CK 0934

Hon'ble Judges : Ashok Bhushan, Chairperson; Barun Mitra, Member (T); Arun Baroka, Member (T)

Bench : Full Bench

Advocate : Vikas Mehta , Kartik Pandey, Swati Dalmia

Final Decision : Dismissed

Judgement

03.02.2025: I.A. No. 258/2025

1. This is an Application praying for condonation of 6 days delay in filing of the Appeal.

2. The ground given in the Application is that the Petitioner firm is based in Mumbai and documents were to be exchanged and for finalisation and execution of the Appeal took considerable time. Cause shown sufficient. Delay condoned.

Comp. App. (AT) (Ins.) 64/2025

1. This Appeal has been filed against an Order dated 13.11.2024 by which Order in I.A. 5324/2024 filed by the Applicant, following Order was passed:

"I.A. No. 5324/2024

1. Proxy counsel for the Appellant seeks an adjournment on the ground that the arguing counsel is held-up before the Hon'ble NCLAT for a fixed time matter.

2. At his request matter is adjourned to 20.12.2024."

2. Counsel for the Appellant submits that now the matter has been fixed for 20.02.2025.

3. We are of the view that since the matter was only adjourned, there is no ground to entertain the Appeal. It is always open for the Applicant to press his Application before the Adjudicating Authority when come for consideration.

4. Learned Counsel for the Applicant submits that he shall be moving an Application before the Adjudicating Authority for early listing. It is always open for the Applicant to move any Application, however, we express no opinion on the said Application.

Appeal disposed of.