

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

**Company Appeal (AT) (Insolvency) No. 1282 of 2023 & I.A. No. 4542,  
4461 of 2023**

**IN THE MATTER OF:**

**Luxture Surface Coatings Pvt. Ltd.**

**...Appellant**

**Versus**

**Dhanuka Realty Ltd.**

**...Respondents**

**Present:**

**For Appellant:** Mr. Tanveer Oberoi, Mr. Nikhil Yadav, Advocates

**For Respondent:** Mr. Yash Tandon, Mr. Ankit Sareen, Advocates

**ORDER**

**07.11.2023:** I.A. No. 4461 of 2023. This is an application praying for condonation of delay of 32 days in refiling the Appeal.

2. Learned Counsel for the Appellant submits that certified copy of the Order was applied but sometime was taken in translation of the document from Hindi to English.

3. Cause shown sufficient. Refiling delay is condoned.

4. I.A. No. 4542 of 2023. This is an application praying for condonation of 23 days delay in filing the Appeal. Order impugned was passed on 01<sup>st</sup> June, 2023 and Appeal was e-filed on 01<sup>st</sup> August, 2023 with delay of 23 days.

5. Learned Counsel for the Appellant has relied on paragraph 4 of the Application where reasons have been given which is to the following effect:

*“4. The appellant has received the certified copy of the impugned order dated 01.06.2023 on 09.07.2023 through speed post and it is further important to state that appellant being a private limited company with the directors travelling in various parts of rajasthan and India could not promptly act on the same for these personal reasons. The copy of the*

*speed post receipt along-with tracking report is attached as Annexure-1.”*

6. Our jurisdiction to condone the delay is limited to 15 days only as per Section 61(2) proviso hence we are unable to condone the delay of 23 days. Delay Condonation Application is rejected. Consequently, the Memo of Appeal is dismissed.

**[Justice Ashok Bhushan]  
Chairperson**

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

**[Mr. Arun Baroka]  
Member (Technical)**

*Basant/nn*