

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal No _____ of 2020

(D No 13202 of 2019)

Gammon India Ltd

.... Appellant(s)

Versus

Neelkanth Mansions and Infrastructure Pvt Ltd

....Respondent(s)

ORDER

- 1 Section 62 of the Insolvency and Bankruptcy Code 2016 provides a period of forty five days from the date of the receipt of an order of the National Company Law Appellate Tribunal for filing an appeal before this Court. Under sub-section (2), this Court is empowered to condone a delay of a further period not exceeding fifteen days for sufficient cause.
- 2 The appeal is barred by limitation since the delay of 51 days is beyond the period of delay which can be condoned under sub-section (2) of Section 62.
- 3 Hence, the appeal is dismissed on the ground that it is barred by limitation.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Indu Malhotra]

**New Delhi;
November 20, 2020**

-S-

ITEM NO.1 Court 5 (Video Conferencing)

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No(s).13202/2019

GAMMON INDIA LTD.

Appellant(s)

VERSUS

NEELKANTH MANSIONS AND INFRASTRUCTURE PVT. LTD.

Respondent(s)

(WITH I.R. and IA No.74874/2019-CONDONATION OF DELAY IN FILING APPEAL)

Date : 20-11-2020 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRA

For Petitioner(s) Mr. Gaurav Agrawal, Adv.
Mr. Prashant Kumar, Adv.
Ms. Awantika Manohar, Adv.
Mr. Anirudh Singh, Adv.
M/S. Ap & J Chambers, AOR

For Respondent(s) Mr. K.V. Vishwanathan, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. M.S. Federal, Adv.
Mr. Murtuza Federal, Adv.
Mr. Ankur Saigal, Adv.
Ms. Anuja Abhyankar, Adv.
Mr. Kazan Shroff, Adv.
Mr. Utkarsh Pratap, Adv.
Mr. E. C. Agrawala, AOR

UPON hearing the counsel the Court made the following
O R D E R

The appeal is dismissed on the ground that it is barred by limitation in terms of the signed order.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER

(Signed order is placed on the file)