

## LEGAL UPDATES

### **GUJARAT HC: HC PARDONS 408-DAYS DELAY IN FILING FIRST APPEAL BY RP DUE TO SPECIAL CIRCUMSTANCES**

In an appeal filed by a Resolution Professional ('Applicant'), the request was placed seeking forgiveness for a delay of 408 days in filing the first appeal against the order passed by the Prevention of Money Laundering Act Appellate Tribunal, before the division bench consisting of Justice Niral R. Mehta and Justice J.B. Pardiwala. The Applicant contended that after the money-laundering investigation under the PMLA, one of the properties of the company was held under status-quo and the Applicant was appointed as the Resolution Professional. The Applicant also contended that the held property was required for completing the Corporate Insolvency Resolution Procedure. The court noted Sec. 42 of the PMLA Act and also noted that the Apex Court had extended the limitation period for anything related to proceedings in response to the COVID-19 pandemic crisis. The court also observed that the appeal was filed by the Applicant on July 16, 2021, which falls within the period of the extended limit. Thereby, the court concluded that Sec. 42 of the PMLA Act would not be relevant in this case and directed the Registry to register the first appeal of the Applicant. Therefore, the appeal was accepted.