

SINGLE BENCH

ITEM NO.101

**NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ**

RULE 63 APPEAL NO.01/ALD/2026

CORAM:

**SH. PRAVEEN GUPTA,
HON'BLE MEMBER (JUDICIAL)**

Date of Order: 9th June, 2026

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	NIRMAL KUMAR BHESONI, LIQUIDATOR OF M/S GARVIT INNOVATIVE PROMOTERS LTD.
UNDER SECTION	RULE 63 OF NCLT RULES, 2016

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Amar Nath, Adv. : *For the Erstwhile liquidator*

Sh. Govind Bhardwaj with : *For the present liquidator*

Sh. P. K. Shukla, Adv.

ORDER

1. This appeal has been filed under Rule 63 of the NCLT, Rules, 2016, against the order dated 29th April, 2026 passed by the Ld. Deputy Registrar in an application filed by the erstwhile liquidator under Regulation 33 (3) of the IBBI (Liquidation Process) read with Rule 11 of the NCLT Rules, 2016. By way of this application he was seeking to modify the entry in the list of the stakeholders filed on 27th December, 2025 vide Diary no. 902109005602026 dated 16th April, 2026.

2. It is contended by the Ld. Counsel representing the Appellant that earlier the application was filed wherein certain defects were pointed out by the Ld. Deputy Registrar, which were cured and thereafter some fresh defects were pointed out. The said fresh defects had also been cured however, the

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application was declined by the Ld. Deputy Registrar in terms of the aforesaid order dated 29th April, 2026, and due to the portal having been closed, as a result of the passing of the aforesaid order, the erstwhile liquidator could not re-file the rectified application. He therefore submits that this appeal may kindly be allowed in the interest of principles of natural justice so that this application could be filed by complying all requisite formalities as well as ensuring that the defect pointed by the Ld. Deputy Registrar is duly taken note of and cured.

3. Ld. Counsel, Sh. Govind Bhardwaj has put in appearance for the present liquidator raising objection in the present matter particularly in the context that the erstwhile liquidator has since then ceased to exist and therefore could not be made entitled to move any application in this regard, and if so filed would not be maintainable.
4. I have perused the record and heard the arguments of the Ld. Counsel representing the Appellant as well as the Ld. Counsel representing the present liquidator.
5. At the stage of hearing in an appeal under Rule 63, I am only looking into the aspect of the technical defects having been pointed out by the Ld. Deputy Registrar and the defects being cured by the Appellant at the relevant time and the application could not further be uploaded as the portal was since then closed. Considering the facts and in the interest of principles of natural

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justice, I deem it appropriate to allow the appeal with liberty to refile the desired application within a period of one week.

6. It is needless to mention that the submissions/objections to be raised by the Ld. Counsel representing the present liquidator on merit, in any case, would be available to him to be raised when this application comes up before the Regular Bench and heard on merits itself. It is also further clarified that anything said in this order considering appeal under rule 63, shall not be construed in any manner on the merits of the application.
7. Accordingly, this appeal is allowed in the aforesaid terms.

-Sd-
(Praveen Gupta)
Member (Judicial)

9th June, 2026

Bipul Kumar Tiwari
(Stenographer)