

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

Company Appeal (AT) No.332 of 2026

IN THE MATTER OF:

Rock Bottom Mines Private Limited & Ors.

...Appellants

Vs.

Sanjeev Chaudhary and Ors.

...Respondents

Present:

For Appellant:

Mr. Sajal Jain, Mr. Kartik Pandey, Mr. Deepankar
Sharma, Mr. Amit Ahlawat, Advocates

For Respondent:

Mr. Ramji Srinivasan, Sr. Advocate with Mr. Aalok
Jagga, Mr. Nipun Gautam, Mr. APS Madaan, Mr. Sahil
Lohan, Ms. Shefali, Advocates

**O R D E R
(Hybrid Mode)**

02.09.2026 - The appellant is an opposite party to the proceedings of C.P. No. 65/CHD/HRY/2026 – Sanjeev Chaudhary vs. Rock Bottom Mines Private Limited & Ors.

2. By virtue of this company appeal, has expressed his grievances as against the impugned order of 21.08.2026, as passed by the learned NCLT, Chandigarh Bench, whereby in proceedings which were being held under Section 213(b)(i) & (ii) of the Companies Act, 2013, seeking an investigation into the affairs of the company, which was sought for to be read under Section 221 and Section 447 of the Companies Act, 2013. The learned Tribunal has proceeded to pass an interim Order recording thereof that it is in context of relief (b), (c) and (g), as it was modulated and prayed in the application filed in support of grant of an

interim order in the company petition. The learned Tribunal on the very first date of hearing had proceeded to pass the Order of the following nature:-

- a. Appointed an Administrator who happens to be a Retired Hon'ble Judge of Punjab and Haryana High Court.
- b. The SHO was directed to immediately confiscate all the records.
- c. The petitioner was to accompany the police officials to help and identify to carry out the directions contained in Clause – 2 and respondent Nos.1 to 6 i.e. the appellants herein, were restricted from removal, transfer or disposal of the funds, assets and properties of respondent No.1 company.

3. The learned Counsel for the appellants, while pressing upon the appeal, has submitted that the company petition was presented on 18.08.2026 and on the very first date, when the matter was listed before the learned Tribunal as fresh i.e. on 21.08.2026, the learned Tribunal without soliciting any response from the appellant in relation to the subject involved in the company petition or in the interim relief that was sought in the interim application, had proceeded to pass an Order of the nature as discussed above.

4. It is argued that the learned Tribunal has traversed in passing an Order without considering the facts on record or recording its own finding to justify passing of an interim Order of the nature, except for a very vague observation has been made i.e. the Tribunal is of a prima facie satisfied. This explanation given in itself cannot be said to be a logical reason because prima facie

satisfaction has to be supported by reasons based on consideration of material and facts on record, by recording finding on it, and, more particularly, when the nature of the Order, which is passed on the very first date, has got serious civil consequences and it also has an impact and bearing on the final relief.

5. In order to attach sanctity to the orders passed by the Court or the Tribunals, in order to ensure to rule out any bias, it was expected that the Tribunal ought to have assigned reasons because any orders, which were being passed by it, were hampering the civil rights of the appellant. Even the interim order, which has an effect of affecting the lis have to be passed with the reasons, assigned to it even if the exigency requires passing of the same on the first day, and more particularly, when the Order was being passed on the first day, the reason becomes inevitable.

6. The matter was contested and the respondent's Counsel represented by Mr. Ramji Srinivasan, Sr. Advocate assisted by Mr. Alok Jagga, vehemently opposed and contended that even passing of the interim Orders, which are interlocutory in nature, no reasons are required to be recorded. Since the issue became debatable and was being hotly contested, we proceeded to pass an Order for calling for a counter, but while we were dictating an Order and before it could be completed. The Counsel for the respondent submitted that it will be apt to quash the Order and to remit the matter back to the learned Tribunal to consider the interim application itself afresh and be decided afresh after providing an opportunity and hearing the appellant, let the Tribunal pass a fresh Order.

7. Owing to the aforesaid and on this exclusive simpliciter ground that the impugned order is a non-reasoned order and does not reflect the applicability of mind or consideration of material on record by assigning reasons to justify passing of an interim order, we quash the Order of 21.08.2026. The matter is remitted back to the learned Tribunal with a request to reconsider the application for the grant of interim order. But, if any order is required afresh, it would be only after providing opportunity to the parties and decide the same in accordance with law, more particularly by assigning reasons upon consideration of material.

Accordingly, the company appeal would stand allowed. The impugned order would stand quashed.

[Justice Sharad Kumar Sharma]
Member (Judicial)

[Arun Baroka]
Member (Technical)

[Indevar Pandey]
Member (Technical)

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