NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 2052 of 2026

IN THE MATTER OF:

Manoj Kumar Anand Resolution Professional of Parsvnath Developers Ltd. ...Appellant(s)

Versus

BSES Yamuna Power Ltd. ...Respondent(s)

Present:

For Appellant : **Ms. Udita Singh, Advocate.**

For Respondents : **Mr. Parsvnath and Mr. Manoj Kumar, Advocates for RP.**

O R D E R
(Hybrid Mode)

06.11.2026 Issue Notice. Upon service, let reply be filed within two weeks. Rejoinder, if any, be filed within two weeks thereafter.

This appeal is filed against an impugned order dated *06/10/2026*, passed by the Ld. NCLT, New Delhi, in *New IA No. 4791/ND/2026* in *CP(IB) No. 468/PB/2024*. The order dated 06/10/2026 is as under :-

> *"New IA-4791/ND/2026: Issue notice to the Respondent(s) returnable on 30.10.2026. The Applicant undertakes to serve notice upon the Respondent(s) through all modes viz. registered post, speed post, courier service and E-mail. Affidavit of service be filed within one week. Reply, if any, may be filed by the Respondent(s) within one week from the date of receipt of the notice. List the matter on 30.10.2026."*

2. The Resolution Professional moved this application with a prayer, *viz.*, directions to the Respondent/ BSES Yamuna Power Limited. to forthwith restore the electricity supply/ connection of the registered office of the Corporate Debtor situated in Parsvnath Tower, Near Shahdara Metro

Station, Delhi, and maintain uninterrupted electricity supply at the premises during the proceedings of the CIRP.

3. It is the submission of the Ld. Counsel for appellant that the electricity is an essential supply protected u/s *14(2)*, read with Regulation *32* of the CIRP Regulations, 2016. It is submitted, the disconnection of the electricity has caused serious prejudice to the ongoing CIRP and is directly obstructing the appellant from maintaining the affairs of the Corporate Debtor and to maintain the Corporate Debtor as a going concern, especially when the Respondent is fully aware of the ongoing CIRP of the Corporate Debtor.

4. It is also submitted yesterday, i.e., on *05/11/2026*, the Hon'ble Supreme Court, in Civil Appeal No. *630 of 2026* has unfreezed the account of the corporate debtor to the extent to make payments of electricity dues and other essential supplies and also directed the CoC to arrange and make payment to the appellant/ Resolution Professional. The said order dated 05/11/2026 is not uploaded as of yet but considering the urgency we accept the statement of the Ld. Counsel for appellant before this court, made on instructions.

5. It is submitted by Ld. Counsel for appellant, the electricity was disconnected on *28/09/2026* but on 29/09/2026, the appellant had moved an instant application and it was listed on *06/10/2026*, where even despite making submissions, as are made before us today, the matter was adjourned to *30/10/2026*, when it was not taken up and now it is listed on *25/11/2026*.

6. It is submitted by the Ld. Counsel for appellant the premises constitutes the principal place of business and is the head office of Corporate Debtor from where the Corporate Debtor has always conducted its operation and prior to the commencement of CIRP, approximately *200* employees were working.

7. Even presently, approximately *60* to *70* employees are required to operate the said premises in connection with the affairs and operation of the Corporate Debtor and the ongoing CIRP. It is submitted the disconnection of the electricity therefore has materially affected the functioning of the Corporate Debtor and has brought the principal office to a standstill and materially impairs the appellant's statutory obligation to preserve the value of the assets of the Corporate Debtor and to operate the Corporate Debtor as a going concern.

8. Advance notice of this appeal has already been given to the Respondents but none has appeared. Further, the Ld. Counsel for appellant, on instructions submits they shall clear the outstanding dues of the Respondent amounting to approximately *Rs. 43,35,200/-* positively within a month from today.

9. Taking the statement of the Resolution Professional as well as the Ld. Counsel for the Resolution Professional on record and considering the fact the advance notice of the appeal has already been served upon the Respondent, we direct the Respondent to immediately restore the electricity supply in the premises at Parsvnath Tower, Near Shahdara Metro Station,

Delhi – 110032, and shall maintain uninterrupted electricity supply at the premises till *30* days from today.

10. Within 30 days, the CoC meeting shall be conducted and the interim finance, as submitted, shall be arranged and the dues shall be paid.

List this appeal on **18/12/2026**.

[Justice Yogesh Khanna]
The Officiating Chairperson

[Barun Mitra]
Member (Technical)

[Ajai Das Mehrotra]
Member (Technical)

Prerana/md