

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 1498 of 2026

IN THE MATTER OF:

Bharati Trading Enterprises Private Limited

...Appellant(s)

Versus

Tecso Project Ltd.

...Respondent(s)

Present:

For Appellant : Appearance not marked.

For Respondents :

O R D E R
(Hybrid Mode)

14.08.2026: Heard Ld. Counsel for the Appellant and perused the record.

Ld. Counsel for the Appellant submits that the duty of the Ld. Adjudicating Authority is to only see the debt and default however the Ld. Adjudicating Authority has passed the impugned judgment without considering the case of the appellant in right perspective and so much so after dismissing the Section 9 application filed by the appellant a penalty of Rs. 2 lakhs has also been imposed without assigning any reason.

It is further submitted that the appellant is having a very good case on merits and there is every hope that the appellant would succeed in the appeal.

It is also submitted that as interim measure the direction given by the Ld. Adjudicating Authority in paragraph no. 23 of the impugned order with regard to the deposition of Rs. 2 lakhs as penalty may kindly be stayed as the same has been imposed without according any opportunity of being heard to the appellant.

We have considered the submissions made by Ld. Counsel for the Appellant and the same requires consideration.

Issue notice to the Respondent.

Steps along with process fee as well as requisites be taken within four working days from today.

It is provided that till the next date of listing direction passed by the Ld. Adjudicating Authority in paragraph no. 23 of the impugned judgment with regard to the deposition of penalty of Rs. 2 lakhs shall remain stayed.

List on **03.09.2026**.

[Justice Mohammad Faiz Alam Khan]
Member (Judicial)

[Naresh Salecha]
Member (Technical)

sr/mr