

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 1089 of 2026

IN THE MATTER OF:

Yogesh Kasundra Suspended
Director of Pithadai Construction Pvt. Ltd. ...Appellant(s)

Versus

Mittal Construction Co. & Anr. ...Respondent(s)

Present:

For Appellant(s) : Mr. Navin Pahwa, Sr. Advocate with Mr. Digant Kakkad and Mr. Jenish Ruparliya, Advocates.

For Respondent(s) : Mr. Arun Bansal, Mr. Soumitra C., and Mr. Anubhav Bansal, Advocates.

ORDER
(Hybrid Mode)

24.06.2026 Heard Ld. Counsel for the Appellant and Ld. Counsel for the Respondent, perused the record.

2. Ld. Counsel for the Appellant submits that the impugned order has been passed on 10.06.2026, on an application moved by the Respondent No.1 under Section 9 of the IBC and in Part-IV thereof, the amount of Rs. 1,29,77,269/- has been shown as the outstanding amount.

3. It is submitted that though the Appellant is having very good case on merits, however, the Appellant to show his bonafide is ready to deposit the whole amount as shown in Part-IV of the application, without admitting the case of the Appellant.

4. Ld. Counsel for the Respondent No.1 and Respondent No.2 are present before us. They have received notice on behalf of the Ld. Counsel for the R1 and R2.

5. Keeping in view of the facts and circumstances of the case and having regard to the fact that the default amount is Rs. 1,29,77,269/-, and the Ld. Counsel for the Appellant has submitted that he is ready to deposit the said amount subject to the final disposal of this Appeal, we direct that the IRP shall not take any further steps in pursuance of the impugned order, till the next date of listing.

6. The Appellant shall prepare the FDR of Rs. 1,29,77,269/- in the name of the Ld. Registrar of this Appellate Tribunal and give the same in the custody of the Ld. Registrar within three days from today.

7. Ld. Counsel for the Respondent may file a reply within a week with an advance copy to Ld. Counsel for the Appellant may also file the rejoinder, if any, within a week thereafter.

8. List this Appeal on **09.07.2026**.

[Justice Mohammad Faiz Alam Khan]
Member (Judicial)

[Barun Mitra]
Member (Technical)

Abhishek/Rafi