

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 815 of 2026

IN THE MATTER OF:

One City Infrastructure Pvt. Ltd & Anr. ...Appellants

Versus

Anil Matta ...Respondent

Present:

For Appellants : Mr. Sunil Fernandes, Sr. Advocate with Mr. Rishabh Nangia, Advocate.

For Respondent : Mr. P. Nagesh, Sr. Advocate with Mr. Mrinal Harsh Vardhan, Ms. Rituparna Patra, Mr. Pradhumn Rao, Advocates for Ex-management.

Mr. Farrokh Khan, Ms. Nidhi Jain, Ms. Radhika Maheshwarim, Advocates for Homebuyers.

With

Company Appeal (AT) (Insolvency) No. 818 of 2026

IN THE MATTER OF:

Anil Matta ...Appellant

Versus

One City Infrastructure Pvt. Ltd & Ors. ...Respondents

Present:

For Appellant : Mr. Sumant Batra, Ms. Anuja Pethia, Mr. Rishabh Govila, Mr. Rishabh Nigam, Ms. Amisha Agarwal, Ms. Kshrija Agarwal, Ms. Riya Kaur Arora, Mr. Sarthak Bhandari, Advocates.

For Respondents : Mr. Sunil Fernandes, Sr. Advocate with Mr. Rishabh Nangia, Advocate for SRA.

Mr. P. Nagesh, Sr. Advocate with Mr. Mrinal Harsh Vardhan, Ms. Rituparna Patra, Mr. Pradhumn Rao, Advocates for Ex-management.

Mr. Farrokh Khan, Ms. Nidhi Jain, Ms. Radhika Maheshwarim, Advocates for Homebuyers.

Cont'd.../

ORDER
(Hybrid Mode)

11.05.2026: These two Appeals have been filed by the SRA and the RP challenging order dated 17.04.2026 questioning the separate opinion of Judicial Member and Technical Member in Company Petition (IB) No.995/(ND)/2018 on the plan approval application filed by the RP for approval of the plan of the SRA and other applications. Both the Judicial Member and the Technical Member have given separate opinion and has framed separate question, which is sought to be challenged in these appeals.

2. Learned counsel for the RP and the SRA contends that the Judicial Member in his elaborate judgment already found plan compliant as per Section 30(2) and passed certain directions for reconsideration of the plan by the CoC whereas the Technical Member has taken opposite view and has framed question which are not in accord with the finding made by the Judicial Member.

3. There being separate opinion of Judicial Member and Technical Member, the President, NCLT has already referred the matter to Third Member for giving his opinion. At this stage, we are of the view that Appeals cannot be entertained nor any question can be decided in these appeals. We only observe that it shall be open for the Appellants to refer to the findings and opinions given by the Judicial Member as well as Technical Member while answering the questions. Parties are free to rely on findings and judgments of both the members. Plan having been approved in the year 2020, we are of the view that learned Third Member, who has been appointed by the

President, NCLT shall endeavour to dispose of the matter as early as possible.

Appeals are disposed of accordingly.

**[Justice Ashok Bhushan]
Chairperson**

**[Barun Mitra]
Member (Technical)**

Archana/md