

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 127-128 of 2020
& I.A. No. 322, 323 & 410 of 2020 & 3072 & 3073 of 2022

IN THE MATTER OF:

Nityank Infrapower & Multiventures Pvt. Ltd.

...Appellant

Versus

Rakesh Rathi & Ors.

...Respondents

Present:

For Appellant : Mr. Aman Raj Gandhi, Mr. Ojasvi Sharma & Mr. Dhairya Shroff, Adv.

For Respondents : Ms. Prabhleen A. Shukla, Adv.

With

Comp. App. (AT) (Ins) No. 112-113 of 2022

IN THE MATTER OF:

Balmukh Goldjewel and Multitrading Pvt. Ltd.

...Appellant

Versus

Rakesh Rathi & Ors.

...Respondents

Present:

For Appellant : Mr. Rohan Jaitley, Mr. Dev Pratap Shahi, Mr. Akshay Sharma, Mr. Varun Pratap Singh & Mr. Yogya Bhatia, Adv.

For Respondents : Ms. Prabhleen A. Shukla, Adv.

ORDER
(Hybrid Mode)

15.07.2026 We have been informed by Learned Counsel for the Appellant that in this appeal all the Respondents have been served.

2. Ms. Prabhleen A. Shukla is present on behalf of Respondent No. 3 while other Respondents are not represented before us.

3. Learned Counsel for the Appellant has requested to adjourn the appeals on the basis that some settlement talks are going on between the parties and the mediation process is also proceeding under the aegis of the Hon'ble High Court of Delhi Mediation Centre in pursuance of the order passed by the Hon'ble High Court of Delhi dated 08.07.2026 in CS (COMM) 1056/2018 and IA Nos. 10206/2018, 16071/2023.

4. We put a pointed query to Learned Counsel for the Appellant as to how the matter is pending before the Hon'ble High Court of Delhi may have any shadow on the disposal of the instant appeal. He has given certain explanation which in our considered opinion is not sufficient to adjourn the appeals.

5. We also notice that the appeals are pending since 2020. On 28.01.2020, interim observation was also made in terms that the implementation of the approved Resolution Plan shall be subject to the outcome of this appeal. These appeals may be amongst the oldest appeals of this Appellate Tribunal.

6. Keeping in view the fact that the appeal is of the year 2020 and in our considered opinion it is required to be disposed of with utmost expedient.

7. We provide last opportunity to the Parties to argue the appeal, failing which the Bench would be compelled to dismiss the appeal for want of prosecution”.

8. List accordingly on **24.07.2026** in the first three cases of the cause list.

[Justice Mohammad Faiz Alam Khan]
Member (Judicial)

[Mr. Naresh Salecha]
Member (Technical)

Sim/mr