

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 1083 of 2026

IN THE MATTER OF:

Anuj Goyal

...Appellant

Versus

**Mohit Chawla Resolution Professional
Chandigarh Overseas Pvt. Ltd. & Ors.**

...Respondents

Present:

For Appellant : Mr. Anand Chhibar Sr, Adv. with Mr. Ashwani Sharma, Ms. Isha Virmani, Ms. Nattasha Garg, Ms. Mahima Ahuja & Mr. Ali Abbas Masoodi, Advocates

For Respondents : Mr. Atul V. Sood, Mr. Rohan Sood, Mr. Karan Malhotra, Mr. Anant Sharma, Mr. Anant Sharma Tripathi, Advocates for R-1/RP
Mr. Abhijeet Sinha & Mr. Sarjit B. Sr. Advocates with Mr. Aditya Soni & Mr. Rajat, Advocates for R-2
Mr. Vipul Joshi, Advocate for R-3/SRA

ORDER
(Hybrid Mode)

30.06.2026 Heard Shri Anand Chhibar, Learned Senior Counsel appearing for the Appellant, Shri Atul V. Sood, Learned Counsel appearing for the RP, and Mr. Aditya Soni, appearing for the CoC, and perused the records.

2. Learned Counsel for the Appellant submits that, clear directions were issued by this Appellate Tribunal vide order dated 23.04.2026, passed in Comp. App. (AT) (Ins) No. 624 of 2026, directing that I.A. No. 1442 of 2025 and I.A. No. 1718 of 2025 (should be 1617 of 2025) must be disposed of prior to the decision on the plan approval

application filed by the RP before the Learned Adjudicating Authority, however, by passing the impugned order the Learned Adjudicating Authority has reserved order/judgment with regard to the aforesaid two I.A's as well as with regard to the plan approval application filed by the RP.

3. It is further submitted that the directions by this Appellate Tribunal in the aforesaid order are crystal clear and directions have been given to the Learned Adjudicating Authority to first consider and dispose of the aforesaid two I.A's at first and thereafter, to consider and dispose of the plan approval application filed by the RP.

4. It is further submitted that the plan of the RP as well as the CoC members is to keep the real issue away as despite making submissions before this Appellate Tribunal, at the time of passing the order dated 23.04.2026, pertaining to the fact that the pleadings in the aforesaid I.A's are complete, the RP requested the Adjudicating Authority to permit him to file the written submission only on the issue of maintainability. The Respondents are therefore keeping the real issue away from the hearing of this Appellate Tribunal.

5. It is also submitted that, if any order is passed by Learned Adjudicating Authority with regard to the approval of the Resolution Plan, the same would be against the interest of the Appellant who is a genuine homebuyer and would make the instant appeal infructuous and therefore the matter requires urgent intervention.

6. Learned Counsel appearing for the CoC as well as RP submits that, at first suspended Board of Directors has moved various frivolous applications before the Learned Adjudicating Authority with regard to the constitution of the CoC and allegedly admitting inflated claims and when these application were rejected, the Comp. App. (AT) (Ins) No. 2105 of 2025 was filed before this Appellate Tribunal, which was dismissed with the cost of Rs. 5 lacs and even the I.A. which was rejected by the Learned Adjudicating Authority, pertaining to which the order dated 23.04.2026 was passed, vide prayers were sought by the Appellant.

7. It is further submitted that the core of the contesting issue between the parties is the interpretation of the order dated 23.04.2026, passed by the Bench No. 1 and a clarification application is to be filed therein and for this purpose “mentioning” has been made today before the Bench No. 1 (Chairperson’s Bench) with regard to the listing of the proposed I.A. for tomorrow and the request of the CoC, in this regard has been accepted and a direction has been given to list the clarificatory application tomorrow i.e., 01.07.2026.

8. At this juncture, Learned Counsel appearing for the Appellant submits that if any order is pronounced in between, the same would make this appeal infructuous.

9. We have heard Learned Counsel for the Parties and have perused the record. We do not have any doubt on the submissions

made by Learned Counsel for the CoC that on the mentioning of their counsel before the Bench No. 1 (Chairperson's Bench), which has passed the order dated 23.04.2026, the clarificatory application pertaining to the clarification of order dated 23.04.2026 has been directed to be listed tomorrow i.e., 01.07.2026.

10. We are having an impression that the ultimate decision of this appeal would rest on the interpretation of the order dated 23.04.2026, as the contention of the Appellant is that it was obligatory on the part of the Tribunal to have disposed of the aforesaid two I.A's first and thereafter to have considered the plan approval application moved by the RP.

11. While, the contention of the Respondent is that the order dated 23.04.2026, is being wrongly interpreted by the Appellant as the only obligation of the Learned Adjudicating Authority was to consider the aforesaid two I.A's at first and thereafter it was free to pronounce order with regard to the aforesaid I.A's of the plan approval application.

12. As it appears to be an admitted fact that the clarificatory application moved by the CoC today has been directed by the Bench No. 1 to be listed tomorrow i.e., 01.07.2026, we in the interest of justice find it convenient that the instant appeal be also heard by the Bench No. 1 along with the clarificatory application which has been filed by the CoC and has been listed for tomorrow.

13. Thus, we direct the Registry to list the instant appeal in the court/Bench No. 1 for tomorrow i.e., 01.07.2026, under the same caption.

14. Having regard to the apprehension which has been shown by Learned Counsel for the Appellant, we direct the Appellant to bring into the notice of the Learned Adjudicating Authority that the instant matter of passing orders with regard to the I.A's and the plan approval application is in active consideration of the Bench No. 1, of this Appellate Tribunal.

[Justice Mohammad Faiz Alam Khan]
Member (Judicial)

[Naresh Salecha]
Member (Technical)

KS/MR