

(2026) 06 NCLAT CK 0780

In the National Company Law Appellate Tribunal, Pricipal Bench, New Delhi

Case No : Company Appeal (AT) (Ins) No.1217 of 2025 & I.A. No.4757, 4758, 4759 of 2025

Alok Industries Ltd.

APPELLANT

Vs

Ashvanee Kumar Singh & Ors.

RESPONDENT

Date of Decision : 30-06-2026

Acts Referred:

Citation : (2026) 06 NCLAT CK 0780

Hon'ble Judges : Justice N. Seshasayee, Member (Judicial); Arun Baroka, Member (Technical); Indevvar Pandey, Member (Technical)

Bench : Full Bench

Advocate : Appellant: Ms. Petrushka Des Gupta, Mr. Mridul Yadav, Mr. Anand Singh Sengar, Advocates, Ms. Sayalee Dolas, Advocate

Final Decision : Dismissed

Judgement

(Hybrid Mode)

30.06.2026 - This Appeal is directed by the successful resolution applicant challenging an Order of the Adjudicating Authority impleading the resolution applicant in an application for initiating contempt filed by certain workmen of the erstwhile corporate debtor had taken out after the plan was implemented.

2. The learned Counsel for the appellant submits that the entire amount due payable to the workmen under the plan has been fully paid and the very application which some of the workmen have now filed and pending adjudication before the Adjudicating Authority is misconceived. He submitted that given the fact that the plan has been fully implemented, the resolution professional might not have any documents to defend the action. Indeed, the appellant itself has filed all necessary documents before the Adjudicating Authority for it to decide the issue before it. In the circumstances, impleading the resolution professional in an application is not required. But, the Adjudicating Authority vide its Order

dated 18.06.2026 has required the RP to appear before him to explain.

3. Whether the workmen have been fully paid in terms of the resolution plan is something which the Adjudicating Authority may have to decide. And the resolution professional in the context cannot be said to be an unnecessary addenda to the proceeding as he has the responsibility and duty to explain the matter. Inasmuch as the resolution professional was also the Chairman of the Monitoring Committee, a duty is cast upon him to explain the matter before the Adjudicating Authority. In view of the discussion we have herein recorded, we find that there is no merit in the appeal. The appeal is dismissed.

4. The learned Counsel for the appellant submits that the plan was fully implemented by 14th September, 2020 and the Contempt Application No.15 of 2023 is pending before the Adjudicating Authority for almost four years now.

5. We, therefore, require the learned Adjudicating Authority to expedite the hearing of Contempt Application No.15 of 2023 and dispose of the same as early as possible but not later than two months from today.

[Justice N. Seshasayee] Member (Judicial) [Arun Baroka] Member (Technical) [Indevar Pandey] Member (Technical)