
(2026) 07 NCLAT CK 0057

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

Case No : Comp. App. (AT) (Ins) No. 1031 of 2026

Debashis Nanda

APPELLANT

Vs

Aditya Birla Capital Ltd. & Anr.

RESPONDENT

Date of Decision : 03-07-2026

Acts Referred:

Citation : (2026) 07 NCLAT CK 0057

Hon'ble Judges : Justice Ashok Bhushan, Chairperson; Mr. Barun Mitra, Member (Technical)

Bench : Division Bench

Advocate : For Appellant : Mr. Sumant Batra, Mr. Sarthak Bhandari, Riya Kaur Arora, Adv.

Final Decision : Disposed Of

Judgement

(Hybrid Mode)

03.07.2026: These appeals have been filed against the order dated 14.05.2026 passed by the NCLT, New Delhi where the Adjudicating Authority on an application filed by the RP for taking on record the report of Section 99 has observed that since no one has appeared on behalf of the RP nor RP has appeared in person, the Court is not satisfied with the conduct of the RP and copy of the order be forwarded to the IBBI and order was reserved.

2. Ld. Counsel for the Appellant submits that RP has appeared earlier 11 dates and only on the date i.e. 14.05.2026 the Appellant could not appear. It is submitted that order does not give any reason how the conduct of the RP is unsatisfactory and mere non-appearance cannot be a ground to make adverse observation.

3. We are of the view that only on the basis of observation that "we are not satisfied with the conduct of the RP" any steps by IBBI be not taken. In view of the explanation given by the Appellant for non-appearance, we see no reason to

keep the appeal pending. The appeal is disposed of, the observation made in the impugned order "we are not satisfied with the conduct of the RP" are not to be taken into consideration while taking any steps against the Appellant. All the appeals are disposed of accordingly. We have not issued notice to the Respondents in the facts of the present case. Liberty is given to the Respondents to make an application for modification of this order if they feel aggrieved. No costs.

	[Justice Ashok Bhushan] Chairperson
	[Mr. Barun Mitra] Member (Technical)
Sheetal/Manu	