

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 898 of 2020

IN THE MATTER OF:

Anurag Chandra

...Appellant

Versus

**Rohit Sehgal, Liquidator of
Affinity Beauty Salon Pvt. Ltd.**

...Respondent

Present:

For Appellant : **Mr. Shariq Reyaz, Mr. Mansummyer Singh and Ms.
Manisha Chaudhary, Advocates**

For Respondent : **Ms. Ranjana Roy Gawai, Mr. Pervinder Tanwar, Mr.
Vineet Kumar and Mr. Ankur Saigal, Advocates
(Caveator)**

O R D E R
(Through Virtual Mode)

19.10.2020 The Appellant – Mr. Anurag Chandra (Financial Creditor) has assailed the impugned order passed by the Adjudicating Authority (National Company Law Tribunal), Principal Bench, New Delhi approving the resolution plan of ‘Affinity Beauty Salon Pvt. Ltd. (Corporate Debtor). The appeal is limited to the aspect of appointment of ‘Resolution Professional’ as ‘Liquidator’.

It transpires that the Appellant is a ‘Financial Creditor’ and he has been allocated a share in the distribution mechanism. However, even in his capacity as member of the ‘Committee of Creditors’ the role of ‘Resolution Professional’ has not been found fault with. In absence of any act of omission or commission attributed to the ‘Resolution Professional’ disentitling him to be appointed as ‘Liquidator’, the Appellant cannot over-ride the wisdom of ‘Committee of

Creditors' as regards appointment of 'Resolution Professional' as 'Liquidator', more so when no member of the 'Committee of Creditors' ever raised any objection or even considered substitution of the 'Resolution Professional' by any other person for being appointed as 'Liquidator'.

We find no merit in this appeal. The appeal is dismissed at the very threshold stage.

[Justice Bansi Lal Bhat]
Acting Chairperson

[Justice Jarat Kumar Jain]
Member (Judicial)

[Dr. Ashok Kumar Mishra]
Member (Technical)

/ns/gc/