

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**

**Company Appeal (AT) (Ins.) No. 638 of 2020**

**IN THE MATTER OF:**

**Alok Kumar Kuchhal**  
**Erstwhile Interim Resolution**  
**Professional**

**....Appellant**

**Vs.**

**Charming Apparels Pvt. Ltd. & Ors.**

**....Respondents**

**Present:**

**For Appellant: Mr. Alok Kumar Kuchhal, Advocate.**

**For Respondents: Mr. Abu John Mathew, Mr. Sugam Seth, for (CoC  
HDFC).**

**Mr. Sugam Seth, for (CoC HDFC) (R-5A).**

**Mr. Gaurav Srivastava, for R.5.**

**Ms. Heerika Shukla, for R-6.**

**Mr. Aditya Dewan and Mr. Siddharth Chechani,  
Advocates for R-7.**

**ORDER**  
**(Virtual Mode)**

**03.06.2021:** Heard Ld. Counsel for the parties. Erstwhile RP has filed this Appeal as professional fees has not been paid as yet. Ld. Counsel appearing on behalf of the Appellant submits that professional fees fixed by the Appropriate Authority even though it is not paid as yet, therefore, Respondents may be directed to pay the professional fees plus interest and litigation cost.

Ld. Counsel appearing on behalf of the Operational Creditor submits that the Appropriate Authority has fixed the fees Rs. 8.5 Lakhs out of that they have paid Rs. 5 Lakhs.

Ld. Counsel appearing on behalf of the Respondent No. 6 (RP) submits that there is no specific direction for paying the remaining professional fees therefore, they could not pay the same.

It is suggested that the remaining amount 3.5 Lakhs may be paid from the contingency funds which is created in Resolution Plan.

With the consent of the Respondents we hereby direct that the remaining professional fees 3.5 lakhs be paid to the Appellant by the Respondent No. 6 (RP) within 15 days from the contingency funds of the Resolution Plan. In case, the RP fails to pay the amount within 15 days then they have to pay interest @ of 8% from the date of this order till realization.

Thus, the Appeal is disposed of with the aforesaid direction, no costs.

**[Justice Jarat Kumar Jain]**  
**Member (Judicial)**

**[Dr. Ashok Kumar Mishra]**  
**Member (Technical)**

*sc/md*

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