

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 1447 of 2025

IN THE MATTER OF:

Vinod Kumar @ Vinod Yadav

...Appellant(s)

Versus

Prabhjit Singh Soni

...Respondent(s)

Present:

For Appellant : Mr. Deepak Kumar Agarwal, Shishir Srivastava, Vinay Kumar, Nikhita Ganswami, Adv.

For Respondents : Mr. Aditya Madaan, Prabhav Pachory, A Pratap Singh Gaur, Adv.

O R D E R
(Hybrid Mode)

08.01.2026: Heard. Ld. Counsel for the Appellant and Ld. Counsel for the Respondent.

2. This appeal has been filed against the order dated 08.07.2025 by which I.A No. 1129 of 2025 filed by the Appellant has been rejected.

3. CIRP against the CD commenced on 30.05.2019. The RP issued publication inviting the claims. Last date for filing the claim was 09.06.2019. The resolution plan came to be approved by the CoC and thereafter by the Adjudicating Authority on 04.08.2020.

4. Greater Noida Industrial Development Authority filed an appeal before the Hon'ble supreme Court which was decided on 12.02.2024 remanding the resolution plan for reconsideration. Greater Noida Industrial Development Authority claimed that it is a secured creditor and in the plan it has not been considered as a secured creditors. The Hon'ble Supreme court finding that the plan is not in accordance with law set aside the order and remanded the matter back for reconsideration.

5. It was thereafter the Appellant filed its claim on 01.02.2024 which claims having not been accepted. I.A No. 2086 of 2024 was filed on 22.02.2024 which was however subsequently withdrawn.

6. The Adjudicating Authority by the impugned order has rejected the application observing that there is inordinate delay in filing the claim and plan had been approved.

7. Ld. Counsel for the Appellant challenging the order submits that the Appellant was not aware of the CIRP process and he although visited the site in October, 2019 and came to know that project was stalled and it could file the claim with delay of four years from the initiation of CIRP. It is submitted that the allotment was made in lieu of services and material supplied, hence, the respondent was required to consider.

8. Ld. Counsel for the RP submits that the claim which was filed by the Appellant with inordinate delay could not be considered. The order of Hon'ble Supreme Court by which plan was remanded for reconsideration could not give an opportunity to file a claim.

9. We have considered the submissions of Ld. Counsel for the parties and perused the record.

10. In the present case, the CIRP commenced on 30.05.2019, time for filing the claim came to end on 09.06.2019 and the resolution plan was approved by the CoC and thereafter by the Adjudicating Authority on 04.08.2020. The Hon'ble Supreme court on an appeal filed by Greater Noida Industrial Development Authority remanded the resolution plan for reconsideration

before the Adjudicating Authority which order could not allow any benefit to the appellant to file the claim after four years.

11. We do not find any error in the order of Adjudicating Authority in rejecting the application filed by the Appellant seeking direction to accept his belated claim.

12. There is no merit in the appeal. The appeal is dismissed.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

Sheetal/Manu