



**NATIONAL COMPANY LAW TRIBUNAL**

**COURT ROOM NO. 1**

**MUMBAI BENCH**

**Item No. 15**

**IA 4547/2024 IA(I.B.C)/3110(MB)2025 IA(I.B.C)/3785(MB)2025**  
**IN**  
**C.P. (IB)/322(MB)2023**

CORAM:

**SH. PRABHAT KUMAR**                      **SH. SUSHIL MAHADEORAO KOCHEY**  
**HON'BLE MEMBER (TECHNICAL)**      **HON'BLE MEMBER (JUDICIAL)**

ORDER SHEET OF THE HEARING ON **14.10.2025**

NAME OF THE PARTIES: **TECHNOLOGY DEVELOPMENT BOARD V/s**  
**PERFECT INFRAENGINEERS LIMITED**

Section 7 of the Insolvency and Bankruptcy Code, 2016

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**ORDER**

**IA 4547/2024**

1. This application seeking co-operation from the suspended members of the Board of Directors of Perfect Infraengineers Limited ('Corporate Debtor') was filed on 21.08.2024 in terms of section 19(2) of the Insolvency & Bankruptcy Code, 2016 ('Code'). This IA was first listed on 03.10.2024. The Respondents are (i) Nimesh Natwarlal Mehta, (ii) Manisha Nimesh Mehta, (iii) Gurinderkaur Tapindersingh Multani, (iv) Rakesh Chauhan, and (v) Raj Shekhar Singh are suspended members of the Board of the Corporate Debtor and are arrayed as Respondent no. 1 to 5 respectively.
2. None of the respondent has filed reply and only Respondent No. 2, in person, have been entering appearance in this application and has also entered appearance through Counsel Mr. Nedumpara & Nedumpara Advocates, a Vakalatnama dated 14.8.2025,



- in favor of whom Vakalatnama is signed by Respondent No. 1 & 2 only was filed on 14.8.2025.
3. Ms. Manisha Nimesh Mehta, Respondent No. 2 submits that the High Court has granted them liberty in terms of para 18 the order dated 7.10.2025 passed by Hon'ble Bombay High Court. On perusal of said order, we find that liberty has been granted to avail appropriate legal remedy, in accordance with law and in terms of the leave granted by the Judgment dated 11<sup>th</sup> January, 2024 as well as in the decision of Pro Knits vs The Board of Directors of Canara Bank & Ors (supra) to similarly situated MSME Units, if so advised. The decision in case of Pro Knits was already dealt with and considered by this Tribunal while passing order dated 30.10.2024 consequent to earlier direction of Hon'ble Bombay High Court.
  4. It is also noted by this Bench that there is no stay in force from any of the forum, be it Hon'ble Bombay High Court, Hon'ble NCLAT or Hon'ble Supreme Court as on date, through some proceedings are pending thereat in relation to Corporate Insolvency Resolution Process ('CIRP') underway in case of Corporate Debtor. Accordingly, it is told to her that we are not constrained by any order as on date to proceed further. Needless to say, this is the modus-operandi adopted by her on earlier occasions as well, this Bench decides to proceed further and asked the Counsel for the Applicant Resolution Professional to proceed further. However, she kept prevailing upon the proceedings of this Bench while Counsel for the Applicant was attempting to clarify the correct position and the facts taken place in the intervening period. This Bench asked the Counsel for the Applicant to place on record the Order passed by Hon'ble Bombay High Court, of which para 18 is relied by the Respondent No. 2.
  5. Counsel for the Applicant provides an order dated 07.10.2025 in *Writ Petition (ST) No. 14829 of 2025 with Interim Application (L) No. 17532 of 2025, Interim*



*Application (L) No. 18564 of 2025 and Interim Application (L) No. 21757 of 2025 titled as Mrs. Manisha Nimesh Mehta, Promotor & Guarantor of M/s. Perfect Infraengineers Ltd. Vs. Technology Development Board and 22 others (i.e. Board of Directors of ICICI Bank, Secretary MSME, Secretary Ministry of Finance, Chief Secretary of Maharashtra, Governor Reserve Bank of India, NSE, RP, MCA and officers of Technology Development Board as well as ICICI Bank).* The relevant part of this decision states that:

*16. We are conscious of the fact that the Judgment and Order dated 1<sup>st</sup> July 2024 was passed by the Division Bench of this Court without considering the law laid down in the case of Pro Knits vs The Board of Directors of Canara Bank & Ors (supra) and Shri Shri Swami Samarth Construction & Finance Solution & Anr vs The Board of Directors of NKGSB Coop Bank Ltd & Ors (supra). However, we are also of the opinion that the Judgment and Order dated 1<sup>st</sup> July 2024 is wholly consistent with the law laid down by the Hon'ble Supreme Court in the above two decisions. Viewed from that angle also, we are of the considered opinion that there is no scope for this Court to take a different view in the matter on the same set of facts.*

*17. It would further be pertinent to note here-in that although there was a categorical order from this Court passed on 1<sup>st</sup> October 2024 requiring the Petitioner to withdraw all pending proceedings within a week, yet, the Petitioner has admittedly not done so. Therefore, she is evidently in contempt of this Court. That apart, as noted above, the Petitioner is also guilty of suppression of material facts. Under these circumstances, it would ordinarily be wholly justified for this Court to dismiss the Writ Petition by imposing heavy costs upon the Petitioner. However, considering the fact that by the earlier order date 20<sup>th</sup> December 2024 passed by this Court in Writ Petition*



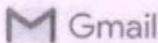
*(L) No. 33593 of 2024 cost of Rs. 5 Lakhs has already been imposed upon the Petitioner, we are impelled to take a lenient view in the matter. We, therefore, refrain from imposing further cost upon the Petitioner in the present proceeding.*

*18. For the reasons stated hereinabove, we are of the view that there is no scope for this Court to entertain the Writ Petition. The Writ Petition, therefore, stands dismissed. Interim order passed earlier also stands vacated. Liberty is, however, granted to the Writ Petitioner to avail appropriate legal remedy, in accordance with law and in terms of the leave granted by the Judgment dated 11<sup>th</sup> January, 2024 as well as in the decision of Pro Knits vs The Board of Directors of Canara Bank & Ors (supra) to similarly situated MSME Units, if so advised.*

6. On perusal of the said order, we find that Hon'ble High Court has only granted a liberty to her to avail appropriate legal remedy, in accordance with law and in terms of the leave granted by the Judgment dated 11<sup>th</sup> January, 2024 as well as in the decision of Pro Knits vs The Board of Directors of Canara Bank & Ors (supra) to similarly situated MSME Units, if so advised and there is no stay or restraint on this Bench to proceed further. It is also noted by the Hon'ble High Court that we are also of the opinion that the Judgment and Order dated 1<sup>st</sup> July 2024 is wholly consistent with the law laid down by the Hon'ble Supreme Court in the above two decisions, and also found the Respondent No. 2 in contempt of this Court for her failure to withdraw all pending proceedings within a week in terms of its Order dated 1<sup>st</sup> October, 2024, however, the Hon'ble High Court took a lenient view on this aspect after appreciating that by the earlier order date 20<sup>th</sup> December 2024 passed by this Court in Writ Petition (L) No. 33593 of 2024 cost of Rs. 5 Lakhs has already been imposed upon the Petitioner.



7. Ms. Manisha Nimesh Mehta, Respondent No. 2, alleges that this Court is only for the Ambani and not for the MSME's. She further emphasises that this Bench passes the order in the chamber. The said submissions are noted.
8. Learned Counsel for the
9. Applicant Resolution Professional also places on record an Email dated 07.10.2025, sent by Ms. Manisha Mehta to Standard Capital Market Limited, one of the Prospective Resolution Applicant's, the relevant part of which is reproduced as below :

 **STANDARD CAPITAL MARKETS LIMITED** <info@stancap.co.in>

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**Perfect Infraengineers Ltd. CIRP Update for Shri Ram Jindal and Shri Vineeta Gautam**

**Manisha Mehta** <mm@perfectinfra.com> Tue, 7 Oct at 10:32 PM  
To: <info@stancap.co.in>, <stancap.delhi@gmail.com>

Shri Ram Jindal Ji,

I understand that Standard Capital Market Ltd. is among the very few Resolution Applicants interested in bidding for Perfect Infraengineers Ltd. under CIRP (*while a majority of the PRA's have already availed a refund of their EMD*). I thank you sincerely for your interest.

By way of introduction, I am Mrs. Manisha Mehta, Chartered Accountant (1993), co-founder and promoter of Perfect Infraengineers Ltd. I also serve as President of the MSME Association of India, which works to protect MSME rights, spread awareness, and support entrepreneurs in their fight against lenders.

I am writing to you to bring to your notice certain key facts around the CIRP of Perfect:


1. Key Milestones-
  - 15<sup>th</sup> July 2024: Perfect was admitted into CIRP via NCLT Mumbai-1 order (*inspite of the 8<sup>th</sup> July 2024 Hon. Supreme Court order relegating Perfect's matter to be heard by the Hon. High Court of Bombay on 18<sup>th</sup> July 2024*)
  - 9<sup>th</sup> Aug 2024: First COG meeting conducted
  - 7<sup>th</sup> March 2025: Resolution Plan and EMD payment of Rs. 25 Lakh
2. GST claims against Perfect of more than Rs. 10 Cr have been added by the IRP after you paid the EMD

Please note that my technical and legal position is that I do not recognize the NCLT order and the CIRP process. I have not cooperated in any way with the IRP and it has been over 1 year and 2 months since Perfect's admission into CIRP and till date the control of management and assets of Perfect have not been taken over by the IRP.

The COG members namely ICICI bank and TDB willfully violated not just the MSME Act, but also other contractual obligations. Taking note, the Hon. Supreme Court and the Hon. High Court of Bombay have time and again granted reliefs and status quo orders to hear the matter in detail.

It is highly unlikely that CIRP will move ahead. Any half-decent lawyer will tell you that the facts of the legal battle are in the favor of Perfect, which is why unprecedentedly, the IRP has been unable to take any meaningful steps in the CIRP for the last 15 months.

Yours Truly,  
Manisha Mehta | CA, ICWA  
Promotor & CFO, Perfect Infraengineers  
President, MSME Association of India  
+91 9821931014

 **Manisha Mehta | CFO** at Perfect Infraengineers Ltd.  
P: +91 9821931014 | E: mm@perfectinfra.com



10. Learned Counsel for the Applicant Resolution Professional informs that consequent upon the vacation of restraint upon him to proceed further to take over control and possession of Registered office of the Corporate Debtor, he along with the Local Police Team visited the premise of registered office on 2.09.2025, however, the same was found locked. He further informs that Ms. Manisha Mehta was contacted over phone and come over there to allow the Applicant Resolution Professional to take over control and possession of the registered office of the Corporate Debtor however, she refused to extend any co-operation and also didn't turn up.
11. Finally, when the proceedings are not going in a way she wishes to be conducted, she starts reiterating allegation, as she has been doing on most of earlier occasions, that this Bench had demanded a bribe of Rs. 75,00,000/- through one Mahi Bhat (not connected with any of the member of the Bench) from her. It is pertinent to place on record that the Orders in CP 322 of 2023 (in relation to which said accusation has unflinchingly made), were listed for pronouncement on 10.05.2024, implying that the orders were since finalized, while she is stated to have received a call demanding monetary consideration on 14.05.2024. It is also pertinent to place on record that the abovesaid Orders passed by this Tribunal have been upheld by Hon'ble Bombay High Court vide order dated 20.12.2024 passed in Writ Petition (L) No. 33593 of 2024 and these orders are presently in appeal also before Hon'ble NCLAT but no stay has so far been granted on these orders.
12. The aforesaid unfounded allegations and imputations made by her causes upset to the Ld. Judicial Member as such accusation was coming before him for the first time, accordingly, he decides to recuse from the matter.
13. Though Ld. Technical Member had come to terms with this accusation, which has been repeatedly made by her in open court room and by her Ld. Counsel as well, however, in view of persistence of the Respondent No. 2 and other Respondent



Suspended Board Members not coming to the terms to the Orders passed by this Tribunal commencing CIRP in case of Corporate Debtor and her open challenge to the jurisdiction and modesty of this Tribunal, Ld. Technical Member's patience and resilience also stands lost. Ld. Judicial Member is also not appreciative of the allegations levelled by Respondent No. 2 and expresses his desire to recuse from the matter, accordingly, this bench considers it appropriate to recuse from the matters under Company Petition No. 322 of 2023 and directs the Registry to place this matter before Hon'ble President for transferring the matter to another Bench for further consideration.

14. Before parting away, this Bench considers it appropriate to appreciate the facts on record and pass an order under Contempt of Court Act, 1971 to protect and preserve the dignity and authority of this Tribunal as the above facts clearly explains the open defiance of the orders passed by this Tribunal and making aspersions on the dignity and authority of the Bench, which has undermined and tarnished the image of this Bench of NCLT.
15. It is imperative to place on record relevant extracts of the Order(s) passed by this Tribunal in IA 4547 of 2024 seeking co-operation from the Respondents, the relevant parts of which are reproduced here as under :

**(a) Order dated 13.11.2024**

*2. Ld. Counsel appearing for the Applicant submits that he has come to know from the occupier of the current premises of the Corporate Debtor that the lease has already been terminated and the assets of the Corporate Debtor has also been removed by the Suspended Board. The Suspended Board have not been co-operating to Applicant even though the matter is in the CIRP and there is no stay in the CIRP.*

*3. Since the RP is under obligation to take control and custody of the Corporate Debtor after commencement of the CIRP, the Suspended Board is duty bound to provide all the information/documents including books of accounts of the*



*Corporate Debtor upon commencement of CIRP to the RP without any further delay.*

*4. In view thereof we consider it appropriate to direct the Respondent/Suspended Board to provide the information/documents including books of accounts of the Corporate Debtor to the Resolution Professional within a period of four days.*

*5. Further the details of the assets in the ownership or in possession of the Corporate Debtor on the commencement of the CIRP should also be provided to the Applicant within such period.*

*6. The Ld. Suspended Director Manisha Mehta was present in person and submitted that they have filed an application u/s 417 of the Companies Act, 2013 seeking removal of members on this Bench, and this Bench should not proceed against them pending said application. We note that the suspended Board had been causing this Bench to recuse from this Bench, however, their recusal application has already been rejected by this Bench. These submissions are no more than a strategy to further delay the CIRP process by causing hinderances therein.*

**(b) Order dated 27.11.2024**

*2. Ms. Manisha Mehta, one of suspended director, appears in person and informs that she will be continuing with the same Lawyer. However, she had conveyed to this Bench in the last hearing that she needs to change the lawyer and sought the time to engage another lawyer.*

*3. She further submits that her counsel is pre-occupied before the Hon'ble High Court in a matter arising from Order passed by this Tribunal pursuant to directions of the Hon'ble High Court.*

*4. This is an application seeking co-operation from the suspended directors to handover the control and possession of the assets and documents of the Corporate Debtor. Accordingly, this Bench considers it appropriate to direct the Respondents to discharge their duties as casted upon them under the provisions of the Code, considering that there is no stay from any forum on the operation of the order passed by this Tribunal admitting the Corporate Debtor in to Corporate Insolvency Resolution process.*



**(c) Order dated 29.11.2024**

2. Ms. Manisha Mehta, one of Suspended Director of Corporate Debtor, appeared in person and handed over the copy of the Order dated 27.11.2024 passed by the Hon'ble High Court of Bombay wherein the arguments on certain matters stated to be connected with the matter before us have taken place, however, there is no stay from Hon'ble High Court of Bombay. On perusal of the records we find that the Suspended Board of Directors has not filed any appeal before Hon'ble NCLAT against the order of admission as well as subsequent order, consequent upon the direction of the Hon'ble High Court of Bombay order, passed by us on 29.10.2024, but has chosen to take up matter before Hon'ble High Court in terms of Article 226 of the Constitution even though the orders passed by this Tribunal are appealable.

3. This is an application under Section 19(2) of the Code seeking cooperation from the Respondent Directors. Section 19(1) of the Code provide that "the personnel of the Corporate Debtor, its promoters or any other person associated with the management of the Corporate debtor shall extend all assistance and cooperation to the interim resolution professionals may be required by his in managing the affairs of the Corporate Debtor". Section 19(2) provides for direction from this Tribunal on an application by Interim Resolution Professional (IRP) in case of non-cooperation from the Promoters. The CIRP in case of the Corporate Debtor is continuing and there is no impediment in the form of any order from any Court staying the continuance thereof. It is the case of the IRP that he has not received any information/documents and control or possession of the assets of the Corporate Debtor. From the day one, the Respondents have been noncooperative and have been telling this Tribunal/Bench that this Tribunal/Bench doesn't have any jurisdiction, however, the Suspended Board has failed to procure any stay order from Hon'ble NCLAT or Hon'ble High Court directing this Bench not to proceed further in this matter or recuse from their case.

4. In view of this matter we direct the Registry to refer the matter to the Insolvency and Bankruptcy Board of India (IBBI) for looking into the conduct of the Respondents/Suspended Board and take appropriate action in accordance with the provisions of the Code.



**(d) Order dated 11.12.2024**

*2. The Branch Manager, Bank of India Mandvi Branch is directed to explain as to why he has failed to take notice of the communication sent by the Resolution Professional that the CIRP process has commenced in the case of Corporate Debtor and the signatory of that bank account has to be changed thereby, giving the control of bank account to the applicant.*

*3. The Auditor JCR & Co. LLP is directed to explain as to why they not cooperating to the Resolution Professional of the Corporate Debtor in providing the necessary information / documents in their control/possession. They are also directed to make available the copy of audited financial statement, the trial balance and the groupings of balances reported in the financial statements for the last 3 years within 3 days of the communication of this order by the Applicant.*

*4. The Income Tax Department/GST Department are directed to enable the Applicant to have new password generated so that he can proceed further in the CIRP.*

*5. Smt. Manisha Mehta one of the Suspended Director of the Corporate Debtor appears in person and seeks time to file Reply stating that she needs to engage the lawyer. Time granted.*

**(e) Order dated 07.01.2025**

*2. Ld. Counsel appearing for the Respondent has filed their reply. None is come present on behalf of the Bank.*

*3. Ld. Counsel for the Applicant is directed to serve a copy of this order to the concerned Bank Manager and the Bank Manager is directed to appear before this bench on the next date of hearing and explain the reasons for not allowing the Resolution Professional to have his name substituted for operation of Bank Accounts of the Corporate Debtor company maintained by their Bank in view of commencement of CIRP.*

*4. Further, the Respondent/all the directors are directed to explain why they are not parting away the possession and control of the documents/assets of the Corporate Debtor for further carrying out CIRP considering the fact the Order*



*admitting the Corporate Debtor into CIRP is not stayed by any Court and the CIRP has to proceed further.*

**(f) Order dated 21.01.2025**

*2. Mr. Krishan Kumar, Senior Manager appears in person on behalf of the Bank of India, Mandvi Branch and the Applicant informs that the Bank has allowed the Resolution Professional to have control over the account. The said submissions are noted.*

*3. Ld. Counsel for the Respondent seeks some time stating that the arguing Counsel is held up before the Apex Court along with the Respondents in this Application.*

**(g) Order dated 28.01.2025**

*2. Counsel for the Applicant seeks some time to proceed further in the matter, contending that the Arguing Counsel is not available today.*

**(h) Order dated 14.02.2025**

*2. This Bench could not hear the matter effectively as the Director of the Corporate Debtor against objected to the hearing stating that this Bench cannot proceed any further till the time her application seeking recusal of Bench Members is decided by this Bench. It is pertinent to note that an application for recusal of Bench member was dismissed on earlier occasion and this is second application filed with an intent to further derail the process. The Suspended Board has not preferred any appeal before Appellate authority against the said order passed in earlier recusal application. She makes uncalled for statements in high pitch and seems agitated over the conduct of this Bench in continuing with the proceedings and not heeding to this statements repeatedly made in every hearing continuance of this Bench. She also challenges anyone to dare to take control of the Corporate Debtor, which is stated to be set up by her through her blood and marrow. Ld. Counsel for the Applicant/Insolvency Professional is directed to bring to the notice the conduct of the Director of the Corporate Debtor to the Insolvency and Bankruptcy Board of India, who may consider the events taking place in the matter for taking necessary action against the Director by initiating necessary proceedings against them in terms of Section 70.*



3. *Mrs. Manisha Nimesh Mehta, further informs that unless this Bench hears the Application which she has filed, seeking recusal of this Bench to hear the matter, which this Bench has already done so twice on the earlier occasions and have been upheld by the Hon'ble High Court of Bombay in the Writ Petition, she won't extend cooperation any further to the Applicant/Insolvency Professional so appointed by this Bench, thereby providing the necessary information to the Applicant herein, which are indispensable to take the Insolvency Process of the Corporate Debtor further.*

**(i) Order dated 11.03.2025**

2. *The Police Authorities/District Administration are requested to extend necessary co-operation to the Resolution Professional, if requested, to take over the control and possession of the assets & office premises of the Corporate Debtor, which the Directors of the Director have been resisting on one ground or another, even though CIRP order is still in force and has not been stayed by any forum.*

**(j) Order dated 29.04.2025**

1. *This Tribunal had passed the direction to the Police Authorities vide order dated 11.03.2025 to extend necessary co-operation to Resolution Professional in taking over the control and possession of assets and office premises of the Corporate Debtor, which is undergoing corporate insolvency resolution process under the provisions of Insolvency and Bankruptcy Code, 2016. On 09.04.2025 Ld. Counsel for the Resolution professional informs that they have taken up the matter with the Station In-charge of jurisdictional Police Station for necessary co-operation. Today the Ld. Counsel for Resolution Professional informs that the said Station In-charge has expressed his inability to extend necessary co-operation in the absence of directions from his Superiors. Accordingly, we request the Deputy Commissioner of Police holding jurisdiction over the Station In-charge to sensitize him about his duty to extend co-operation to the Resolution Profession to assist him to carry out the Insolvency Resolution Process, if such assistance is sought, in terms provisions of the Insolvency and Bankruptcy Code, 2016.*

2. *It may be noted that failure to extend necessary co-operation in terms of this order may invite Contempt Proceedings under the provision of Contempt of Courts Act read with Section 425 if the Companies Act.*



**(k) Order dated 04.07.2025**

*1. Learned Counsel for the Applicant informs that Hon'ble NCLAT has extended the stay till 21.07.2025 and restrained the Resolution Professional from taking over the possession of the Assets of Corporate Debtor.*

**(l) Order dated 12.08.2025**

*2. The learned Counsel for the Applicant informs that there is no Vakalatnama on record from the Respondents. He further informs that Hon'ble NCLAT has lifted restraint placed on Applicant from taking possession of the Corporate Debtor and the Applicant is taking necessary action required for the purpose. The said submissions are noted.*

*3. This Bench has been liberally taking attendance of the Respondent's Counsel on earlier occasion. The learned Counsel appearing for the Respondent undertakes to file Vakalatnama on record.*

**(m) Order dated 08.09.2025**

*2. Counsel for the Resolution Professional placed on record order(s) passed by the Hon'ble High Court of Judicature at Bombay and the Hon'ble National Company Law Appellate Tribunal in last proceedings and informs that no stay is operative in relation Corporate Insolvency Resolution Process of the Corporate Debtor.*

*3. Ms. Manisha Mehta, Suspended Director of the Corporate Debtor contends that the Stay was granted by the Hon'ble Bombay High Court and she is also having Video Recording of hearing of the Matter, which is purported to have been taken while the matter was going on. However, we note that the earlier restraint order passed by Hon'ble Bombay High Court had restrained only Defendant No. 1 to 6 and the Resolution Professional herein is defendant no. 8. Accordingly, the contention of Ms. Manisha Mehta is misleading, even if it is admitted, in the absence of any written order, that a restraint order passed earlier by Hon'ble Bombay High Court is still in force.*

*4. Ms. Manisha Mehta, Suspended Director of the Corporate Debtor keeps on obstructing the court proceeding and prays for an adjournment in the matter, contending that her Counsel is not available today to argue the case as he is in*



*Kochi. This bench notes that sometimes she appear in the matter and argues the case and sometimes her Counsel argues the matter. This Bench asks here to clarify as to who shall argue this matter. It is submitted by Ms. Manisha Mehta that henceforth, she won't appear in the matter and her Advocate shall argue the matter on her behalf. The same submission is noted.*

**(n) Order dated 30.09.2025**

*2. Ld. Counsel for the Resolution Professional intimates that the Hon'ble Bombay High Court, in the Writ Petition No. 14829 of 2019 filed by the Manisha Nimesh Mehta one of the Respondents in IA 4547 of 2024 and suspended number of the board of Directors, has ordered status quo vide its order dated 16.09.2025 and said Status Quo order has further been extended by order dated 29.09.2025 passed in Interim application No. 30255 of 2025 filed under said writ petition. The said status quo is stated to be in force.*

16. Further, relevant extracts of the Order(s) passed by this Tribunal in IA No. 1507 of 2025 and IA 5927 of 2024 recording the conduct of Ms. Manisha Nimesh Mehta are also reproduced here as under :

**(a) Order dated 26.02.2025 passed in IA 5927 of 2024**

*4.7. It would be quite apposite and appropriate to note that in the matter of Celir LLP Vs. Sumati Prasad Bafna and Ors. {Contempt Petition (C) Nos. 158-159 of 2024} the Hon'ble Supreme Court at Para 199 of its order dated 13.12.2024 said that "Even in the absence of such specific mandates, the deliberate conduct of parties aimed at frustrating court proceedings or circumventing its eventual decision may amount to contempt. This is because such actions strike at the heart of the judicial process, undermining its authority and obstructing its ability to deliver justice effectively. The authority of courts must be respected not only in the letter of their orders but also in the broader spirit of the proceedings before them." The conduct of the Applicant calls for imposition of heavy cost as well as initiation of contempt*



*proceedings. However, since the Applicant has turned blind so that she cannot see that any justice is being done to her, we are of considered view that imposition of any cost or initiation of any such Contempt proceedings shall only provide another ground to allege bias. Accordingly, we refrain from indulging into any such Act in the interest of expeditious and smooth adjudication of matters in CP(IB) 322/MB/2023. However, we leave it to the Appellate or Constitutional Authorities to look into the conduct of the Applicant and do the needful if required.*

**(a) Order dated 04.07.2025 passed in IA 1507/2025**

- 2. This is an application filed by the Resolution Professional for directions against Mr. Avinash S. Pahilani for handover of possession of the premises, which was occupied by the Corporate Debtor under leave & license agreement in force at the commencement of CIRP Period and which is the Registered Office of the Corporate Debtor to the Applicant as per MCA records. The Applicant has also prayed for declaration of the notice of termination of the Leave and License Agreement dated 07 /04/2022 issued by the Respondent as illegal and void.*
- 3. This matter was to be argued by the Ld. Counsel for the Respondent finally, after this Tribunal had declined to put on hold hearing in this matter on the basis of erroneous reliance placed by their Counsel on an Order passed by Hon'ble Bombay High Court to mislead this Tribunal that there is a stay on the proceedings in the CIRP. The Ld. Counsel had sought short time to advance arguments on merits and his request was acceded to on last occasion. However, none appeared on behalf of the Respondent today to advance arguments.*
- 4. Smt. Manisha Mehta, the Member of Suspended Board, appears and seeks time in the matter stating that her arguing counsel is before Hon'ble Supreme Court. This Bench apprised her that she is not party Respondent in the matter and her request cannot be acceded, however, she kept on interfering in the*



*proceedings by making again baseless allegations of bias and corruption against the Bench just to obstruct the proceedings in the matter despite fully knowing that no Court has passed any order staying the present proceedings. Since she appears to be not relenting and this Tribunal does not have female marshal to order her removal from the Room, there was no option but to adjourn this matter so as not to waste time any further to take up subsequent matters. At last, she was told to obtain appropriate orders from a competent court/appellate authority stalling the present proceedings.*

17. It is pertinent to refer to decision of Hon'ble Supreme Court in case of ***Celir LLP vs. Mr. Sumati Prasad Bafna & Ors.*** (2024) **ibclaw.in 319 SC**, wherein the Hon'ble Court held that "187..... *The contemptuous act complained of must be such that would result in obstruction of justice, adversely affect the majesty of law and impact the dignity of the courts of law.*" The Hon'ble Court observed that "188. ***In Ram Kishan v. Tarun Bajaj & Ors. reported in (2014) 16 SCC 204*** it was held that *the contempt jurisdiction conferred on to the law courts power to punish an offender not only for his wilful disobedience but also for contumacious conduct or obstruction to the majesty of law. It further observed that such power has been conferred for the simple reason that the respect and authority commanded by the courts of law are the greatest guarantee to an ordinary citizen that his rights shall be protected and the entire democratic fabric of the society will crumble down if the respect of the judiciary is undermined.....*" The Hon'ble Court further observed that "189. ***In Murray & Co. v. Ashok Kr. Newatia & Anr. reported in (2000) 2 SCC 367*** this Court held that *the purpose of contempt jurisdiction is to uphold the majesty and dignity of the courts of law since the image of such a majesty in the minds of the people cannot be led to be distorted, as any indulgence which can even remotely be termed to affect the majesty of law would result in the society losing its confidence*



*and faith in the judiciary and the law courts forfeiting the trust and confidence of the people in general.....”* The Hon’ble Court further observed that “191. *In Reliance Petrochemicals Ltd. v. Proprietors of Indian Express Newspapers, Bombay Pvt. Ltd. & Ors. reported in (1988) 4 SCC 592* it was observed that the process of due course of administration of justice must remain unimpaired. Public interest demands that there should be no interference with judicial process and the effect of the judicial decision should not be pre-empted or circumvented.....”

18. The conduct of the Respondent No. 1 & 2 clearly indicates interference with the juridical process, attack on the modesty of this Tribunal and absolute defiance and disregard of the orders passed by this Tribunal. Further, Respondent No. 3 to 5 have also failed to abide by the directions issued by this Tribunal and has not taken any defence as to how they could not follow the directions of this Tribunal.
19. Contempt of this bench is writ large. Section 425 of the Companies Act, 2013 provides that the Tribunal and the Appellate Tribunal shall have the same jurisdiction, powers and authority in respect of contempt of themselves as the High Court has and may exercise, for this purpose, the powers under the provisions of the Contempt of Courts Act, 1971, which shall have the effect subject to modifications.
20. Section 12(1) of Contempt of Courts Act, 1971 provides that *a contempt of court may be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both.* Section 12(3) further provides that *Notwithstanding anything contained in this section, where a person is found guilty of a civil contempt, the court, if it considers that a fine will not meet the ends of justice and that a sentence of imprisonment is necessary shall, instead of sentencing him to simple imprisonment, direct that he be detained in a civil prison for such period not exceeding six months as it may think fit.*



21. Having considered the facts of the conduct of Respondent no. 1 & 2, the contempt of this Bench is beyond doubt and it would ordinarily be wholly justified for this Bench to impose punishment in terms of Section 12(1) of Contempt of Courts Act, 1971, however, considering that Respondent No.2 has been consistently making unfounded allegation of bias and prejudice of this Bench against her. We therefore refrain from making any order for punishment for the Contempt of this Court which otherwise stands established and proved beyond doubt. Nonetheless, we impel the Hon'ble President NCLT to take up the matter with Hon'ble Chief Justice of Supreme Court and High Court as well as Bar Council of India to discourage such unscrupulous litigants and their Counsels from impeding and obstructing the functioning of Tribunal and harassment/humiliation of the Members presiding over cases filed by such class of litigants or argued by such class of Counsels.
22. Further, Insolvency & Bankruptcy Board of India is requested to examine the conduct of Respondents for initiating appropriate proceedings against them under Section 74 of the Code or any other provisions as is considered appropriate. A note giving facts of the case be forwarded separately with this Order to them. Registry shall send a copy of this Order to the Chairperson IBBI.

**IA(I.B.C)/3110(MB)2025 IA(I.B.C)/3785(MB)2025**

1. Since this Bench is recusing from the matters, Registry may place it before Hon'ble President for further directions.

-Sd/-  
**PRABHAT KUMAR**  
**MEMBER (TECHNICAL)**

Rehan Shaikh

-Sd/-  
**SUSHIL MAHADEORAO KOCHEY**  
**MEMBER (JUDICIAL)**