

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

Company Appeal (AT) (Insolvency) No. 620 of 2023

IN THE MATTER OF:

Manoj Kumar & Ors.

...Appellants

Versus

**Anurag Nirbhaya
Resolution Professional
Manju J Homes India Ltd. & Anr.**

...Respondents

Present:

For Appellant: Advocate Mrinal Harshwardhan, Advocate
Yougendra Singh.

For Respondent: Mr.Abhishek Anand, Ms. Bindu Das, Mr. Karan
Kohli, Advocates

ORDER

25.05.2023: Heard Learned Counsel for the Appellant.

2. This Appeal has been filed against the Order dated 20th February, 2023 by which I.A. No. 4170/ND/2022 filed by the Appellants (one-set of home-buyers) has been rejected. Appellants are one set of home buyers who has filed I.A. No. 4170/ND/ 2022 for rejecting the Resolution Plan submitted by home-buyers-Financial Creditors. The Resolution Professional has filed an Application for approving the Resolution Plan which is pending consideration before the Adjudicating Authority.

3. The Home-Buyers as sub-set of the Financial Creditors has by the Application prayed for rejection of the Resolution Plan, we are of the view that one set of home-buyers have no right to claim rejection of the Resolution Plan, it is for the Adjudicating Authority to consider the plan and approve or disapprove in accordance with Section 30(2) of I&B Code, 2016. We do not find

any error in the order of the Adjudicating Authority rejecting Application filed by one-set of home-buyers seeking rejection of the Resolution Plan, the Appeal is dismissed.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

Basant/nn