

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

Company Appeal (AT) (Insolvency) No. 1911 of 2025

In the matter of:

**Jitender Kumar Jain,
(Liquidator of Aaj ka Anand Papers Ltd.)
Vs.**

....Appellant

Aaj Ka Anand Publications LLP & Ors.

...Respondents

For Appellant	Ms. Pooja Saigal, Sr. Advocate with Mr. Rahul Dev, Mr. Kanishk Pandey, Ms. Avina Karnad, Mr. Nimesh Dixit, Advocates.
For Respondents	Mr. Kaushik Mishra, Mr. Shailesh K. Rajona, Advocates for R9

ORDER

(Hybrid Mode)

22.12.2025: Heard Learned Counsel for the Appellant.

2. This Appeal has been filed against the order dated 18.09.2025 passed by the Adjudicating Authority (National Company Law Tribunal) Court Room No.1, Mumbai Bench by which Contempt Application No.16 of 2023 filed by the Appellant has been rejected. Appellant has been appointed as liquidator in liquidation proceeding of Corporate Debtor- Aaj Ka Anand Papers Limited. In the liquidation proceedings, Appellant has filed Contempt Application No.16 of 2023 under Section 425 of the Companies Act, 2013 praying for initiating contempt proceedings against the contemnors. Prayers made in the application has been noticed in paragraph 3 of the impugned order which are as follows:-

“3. This Contempt Petition has been filed by Mr. Jitender Kumar Jain, Liquidator of Aaj Ka Anand Papers Limited under Section 425 of the Companies Act, 2013 a/w Rule 11 of the National Company Law Tribunal Rules, 2016, seeking following reliefs:-

(i) This Hon'ble Tribunal may be pleased to admit and allow the present Petition.

(ii) In exercise of power under Section 425 of the Companies Act, 2013 read with the Contempt of Courts Act, 1971, to initiate criminal contempt of Court proceedings against the Contemners in accordance with Section 15 of the Contempt of Courts Act, 1970.

(iii) To impose maximum penalty /fine on each of Contemnor as per section 235A of the IBC for creating obstruction in liquidation process of the Corporate Debtor.

(iv) To award the legal cost of these proceedings at actuals to the Corporate Debtor.

(v) To pass such other orders/directions as deemed fit and necessary by this Hon'ble Tribunal in the interest of justice and equity.”

3. The Adjudicating Authority rejected the application observing that no case for civil contempt has been made out, hence, the application has been rejected.

4. Counsel for the Appellant submits that the application made by the Appellant was not confined to only civil contempt and all powers including the criminal complaints under the Contempt of Courts Act, 1971 could have been excised under Section 425 of the Companies Act, 2013.

5. We have heard Counsel for the Appellant and perused the record.

6. The allegations made by the Appellant were with respect to series of articles published in August 2023 against the liquidator in the newspaper for which Civil Suit No.191 of 2024 has already been filed by the Appellant in the Delhi High Court which is pending consideration.

7. In the facts of the present case, we are of the view that even though Adjudicating Authority could have exercised all powers vested under the Contempt of Courts Act, 1971 while exercising jurisdiction under Section 425 of the Companies Act, 2013 but present was not a case where any further proceedings were required with respect to publication made in the newspaper in August 2023. The liquidation proceedings are still pending and more than two years have elapsed from the alleged publication. We only clarify that any observations made in the order shall have no effect on the pending proceeding initiated by the Appellant in the Delhi High Court.

8. With these observations, we close the proceeding.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

Anjali/md