

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 556 of 2026

IN THE MATTER OF:

Ashish Sharma

...Appellant

Versus

Vivriti Capital Ltd.

...Respondent

Present:

For Appellant : Mr. Anuj Kumar, Ms. Isha, Advocates.

For Respondent : Mr. Gulshan Kumar, Advocate.

O R D E R
(Hybrid Mode)

27.03.2026: This appeal has been filed against the order passed by the Adjudicating Authority by which order the Adjudicating Authority has appointed Resolution Professional in Section 95 application filed by the Respondent – Financial Creditor.

2. Learned counsel for the Appellant submits that the Resolution Professional has submitted a report that the Respondent is a Financial Service Provider and other issues.

3. We are of the view that at the time of appointing the Resolution Professional no adjudicatory issue can be looked into by the Adjudicating Authority as held by the Hon'ble Supreme Court in the matter of ***Dilip B Jiwarajka Vs. Union of India & Ors. – WP (Civil) No.1281 of 2021*** that all issues have to be raised at the time when application come for admission/rejection.

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4. We, thus, are of the view that it is open for the Appellant to raise all objections before the Adjudicating Authority, which will be considered in accordance with law. We further observe that the Adjudicating Authority may consider the objections and dispose of the application expeditiously. Appeal is dismissed with above observations.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

Archana/md