

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

I.A. No. 4398 of 2026

In

Company Appeal (AT) (Insolvency) No. 624 of 2026

IN THE MATTER OF:

Anuj Goyal

**...Applicant/
Appellant**

Versus

Resolution Professional & Anr.

...Respondents

Present:

For Applicant/ Appellant : Mr. Anand Chhibar & Mr. Abhimanyu Bhandari, Sr. Advocates with Mr. Ashwani Sharma, Ms. Isha Virmani, Ms. Nattasha Garg, Ms. Mahima Ahuja and Ms. Liza Arora, Advocates.

Mr. Abhijeet Sinha & Mr. Surjeet Bhadu, Sr. Advocates with Mr. Aditya Soni, Mr. Khan Ahmad Darvesh, Mr. Rajat, Advocates for Homebuyers/Applicant.

For Respondents : Mr. Atul V. Sood, Mr. Rohan Sood, Mr. Karan Malhotra, Mr. Anant Shankar Tripathi and Mr. Anant Sharma, Advocates for RP.

Ms. Malvika Chandramouli, Advocate.

WITH

Company Appeal (AT) (Insolvency) No. 1083 of 2026

IN THE MATTER OF:

Anuj Goyal

...Appellant

Versus

**Mohit Chawla
Resolution Professional
Chandigarh Overseas Pvt. Ltd. & Ors.**

...Respondents

Present:

For Appellant : Mr. Anand Chhibar & Mr. Abhimanyu Bhandari, Sr. Advocates with Ms. Nattasha Garg, Ms.

Mahima Ahuja, Ms. Liza Arora and Ms. Isha Virmani, Advocates.

For Respondents : Mr. Atul V. Sood, Mr. Rohan Sood, Mr. Karan Malhotra, Mr. Anant Shankar Tripathi and Mr. Anant Sharma, Advocates for RP.

Mr. Abhijeet Sinha & Mr. Surjeet Bhadu, Sr. Advocates with Mr. Aditya Soni, Mr. Khan Ahmad Darvesh, Mr. Rajat, Advocates for R-2/Homebuyers.

Ms. Malvika Chandramouli, Advocate.

ORDER
(Hybrid Mode)

01.07.2026:

Comp. App. (AT) (Ins.) No. 1083/2026

WITH

I.A. No. 4398/2026 in Comp. App. (AT) (Ins.) No. 624/2026

1. Comp. App. (AT) (Ins.) No. 1083/2026 has been filed by the appellant challenging the order dated 09.06.2026 passed by the adjudicating authority (National Company Law Tribunal Chandigarh Bench, Court – I) in IA(IBC)(PLAN)/6(CH) 2024.

2. In the appeal, following prayers have been made:

“a) The Hon’ble Appellate Authority be pleased to allow the present Appeal and set aside the Order dated 09.06.2026 passed by the Ld. Adjudicating Authority in I. A. (IBC)(PLAN)/6(CH)2024 in C. P. (IB) No. 248/CHD/CHD/2019;

b) Direct disposal of I. A. No. 1442 of 2025 and I. A. No. 1617 of 2025 filed by the Appellant prior to the subsequent reserving of Order in I.A. (IBC)(PLAN)/6(CH)2024;

c) The Hon’ble Appellate Authority be pleased to pass any other Order in the facts and circumstances of the

present Appeal and in the interest of the Justice and Equity.”

3. This appeal was heard by this Tribunal by Bench comprising 2 Members on 30.06.2026 and this Tribunal has noticed the bone of contention between the parties with regard to interpretation of the order dated 23.04.2026. In paragraphs 10 – 14 of the order dated 30.06.2026, following has been observed:

“10. We are having an impression that the ultimate decision of this appeal would rest on the interpretation of the order dated 23.04.2026, as the contention of the Appellant is that it was obligatory on the part of the Tribunal to have disposed of the aforesaid two I.A’s first and thereafter to have considered the plan approval application moved by the RP.

11. While, the contention of the Respondent is that the order dated 23.04.2026, is being wrongly interpreted by the Appellant as the only obligation of the Learned Adjudicating Authority was to consider the aforesaid two I.A’s at first and thereafter it was free to pronounce order with regard to the aforesaid I.A’s of the plan approval application.

12. As it appears to be an admitted fact that the clarificatory application moved by the CoC today has been directed by the Bench No. 1 to be listed tomorrow i.e., 01.07.2026, we in the interest of justice find it convenient that the instant appeal be also heard by the Bench No. 1 along with the clarificatory application which has been filed by the CoC and has been listed for tomorrow.

13. Thus, we direct the Registry to list the instant appeal in the court/Bench No. 1 for tomorrow i.e., 01.07.2026, under the same caption.

14. Having regard to the apprehension which has been shown by Learned Counsel for the Appellant, we direct the Appellant to bring into the notice of the Learned Adjudicating Authority that the instant matter of passing orders with regard to the I.A’s and the plan approval application is in active consideration of the Bench No. 1, of this Appellate Tribunal.”

4. By the impugned order, adjudicating authority has reserved the plan approval application for orders.

5. Learned counsel for the appellant submits that this Tribunal vide order dated 23.04.2026 passed in Comp. App. (AT) (Ins.) No.624/2026 has directed that the adjudicating authority to consider and dispose of the I.A. No.1442/2025 & I.A. No. 1718/2025 before the plan approval application is decided. It is further submitted that orders on the above application have also been reserved on 03.06.2026. It is submitted that this Tribunal clearly directed for deciding the application filed by the appellant and thereafter proceed to hear the plan approval application and the order dated 09.06.2026 reserving order on the plan approval application without deciding the application is not in accordance with the directions issued by this Tribunal on 23.04.2026.

6. From the sequence of the facts, it is clear that after the order dated 23.04.2026, adjudicating authority heard the application filed by the appellant and reserved the orders on 03.06.2026 and on subsequent date on 09.06.2026 heard and reserved the order on the plan approval application.

7. Learned counsel for the appellant has referred to paragraph 6 of the order dated 23.04.2026, which is as follows:

“6. The Resolution Professional submits that they have already filed reply to the said IAs. In view of the aforesaid, we are of the view on the next date of hearing fixed in the matter liberty is given to the Appellant to bring into notice of the Adjudicating Authority order of this Tribunal and request for consideration and disposal of I.A. No.1442 of 2025 and

I.A. No. 4398 of 2026 in Comp. App. (AT) (Ins.) Nos. 624 of 2026 & Comp. App. (AT) (Ins.) No. 1083 of 2026

I.A. No.1718 of 2025 before plan approval application is decided. With these observations, we dispose of this appeal.”

8. When we look into the aforesaid order passed by this Tribunal, the order clearly provided that liberty is given to the appellant to bring into notice of the adjudicating authority, the order of this Tribunal and request for consideration and disposal of the I.A. No. 1442/2025 & I.A. No. 1718/2025 before plan approval application is decided.

9. This Tribunal never issued any direction to the adjudicating authority to decide the application or plan approval application in a particular manner, only liberty was granted to the appellant to bring into the notice of adjudicating authority and request for consideration and dispose of the I.A., before the plan approval application is decided. Adjudicating authority was not issued any direction by this Tribunal to hear or decide the application in a particular manner. Adjudicating authority having heard the application and reserved the order on application as on 03.06.2026 and plan approval application on 09.06.2026, we do not find any error committed by the adjudicating authority reserving the order on 09.06.2026 on the plan approval application. The appellant is clearly misinterpreting the order of this Tribunal dated 23.04.2026 to contend that the adjudicating authority has to first decide the application filed by the appellant and thereafter to hear the plan approval application. No such direction was issued any by this Tribunal in the order dated 23.04.2026.

10. There is no merit in Comp. App. (AT) (Ins.) No.1083/2026. Comp. App. (AT) (Ins.) No.1083/2026 is dismissed consequently, I.A. No.4398/2026 is also disposed of accordingly.

11. It shall be open for all the concerned party to take such remedy as available in law, when order is delivered by the adjudicating authority.

**[Justice Ashok Bhushan]
Chairperson**

**[Barun Mitra]
Member (Technical)**

himanshu/md