

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 578 of 2026 &
I.A. No. 2237, 2143 of 2026

IN THE MATTER OF:

Mahesh Ganpat Angane & Ors.

...Appellant(s)

Versus

Dr. Mamta Binani and Anr.

...Respondent(s)

Present:

**For Appellant : Mr. Mayank Kshirsagar, Ms. Pavani Verma,
Advocates**

**For Respondents : Mr. Ananya Pratap Singh, Ms. Gyanika Kocchar,
Advocates for R1**

With
Comp. App. (AT) (Ins) No. 580 of 2026

IN THE MATTER OF:

Vijay Vaman Panchal & Ors.

...Appellant(s)

Versus

Dr. Mamta Binani & Anr.

...Respondent(s)

Present:

**For Appellant : Mr. Mayank Kshirsagar, Ms. Pavani Verma,
Advocates**

**For Respondents : Mr. Ananya Pratap Singh, Ms. Gyanika Kocchar,
Advocates for R1**

O R D E R
(Hybrid Mode)

08.04.2026 **I.A. No. 2237 of 2026** This is an Application praying for
condonation of 8 days delay in filing the Appeal.

2. The delay is within condonable period and we find sufficient cause has
been shown in Paragraph 2(d) and 2(e).

3. **Delay condoned**

I.A. No. 2143 of 2026 This is an Application praying for condonation of 43 day delay in refiling the Appeal.

3. The ground taken in the Application is that the Appellants are from out of stations and some of the documents required are not readily available with the Counsel and Appellant had to be contacted and it took some time.

4. Sufficient cause is shown.

5. **Refiling delay condoned.**

Comp. App. (AT) (Ins) No. 578 & 580 of 2026 These two Appeals have been filed by the ex-employees of the Corporate Debtor challenging the order dated 15/12/2025 passed by National Company Law Tribunal, Mumbai Bench-I in IA (IBC) (Plan) 65 of 2024.

2. By the impugned order, the Adjudicating Authority has allowed the Application and approved the Resolution Plan. Ld. Counsel for Appellant has very fairly pointed out to the court that against the same order, certain other employees have filed the Appeal, Comp App (AT) (Ins) 241 of 2026 **Mohammed Ismail Ansari Vs. Dr. Mamta Binani & Ors**, where this tribunal has already, after considering the submission, had dismissed the Appeal.

3. Ld. Counsel for Respondent submitted that this tribunal has considered all submissions raised by the Appellants and upheld the order and hence this Appeal also need to be decided in terms of the said order.

4. Ld. Counsel for Appellant submitted that in the judgement of this tribunal dated 30/03/2026, the Respondents have not correctly construed

the order dated 05/12/2025 passed by the Adjudicating Authority in the proceeding and the payment to the Appellant is not fair and equitable which is required under Section 30 [2] (b).

5. We have considered submissions of the Appellant and perused the record.

6. The judgement of this Tribunal dated 03/03/2026 has noticed the order dated 05/12/2025 and has also noticed the details of the payments, as contained in Paragraph 7.8 of the Appeal and it was found that the payment made to the employees was more than that paid to the unsecured financial creditor, who were receiving only 0.98% of their claim.

7. It is well settled that approval of the Resolution Plan can be interfered by the Adjudicating Authority when there is a violation of Provision of Section 30 [2] (b). The entitlement of operational creditor is provided in Section 30 [2] (b) and present, it is not shown that there is any violation of the said provision.

8. We thus are of the view that, we having already upheld the order dated 05/12/2025, this Appeal also need to be decided in terms of the said order.

9. Following the earlier judgement dated 03/03/2026, **both the Appeals are dismissed.**

10. Ld. Counsel for Appellant has submitted that order dated 05/12/2025 provided that minimum entitlement of 12 month salary and the Resolution Plan does not provide for minimum 12 month salary.

11. We having already noticed the order and interpreted the same, we are unable to take any different.

**[Justice Ashok Bhushan]
Chairperson**

**[Indevar Pandey]
Member (Technical)**

Prerana/md