

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 1335 of 2025 & I.A. No. 5216 of 2025
IN THE MATTER OF:

Pulkit Gupta

...Appellant

Versus

Keshav Khaneja, IRP Gensol Engineering Ltd. & Anr.

...Respondent

Present:

**For Appellant : Mr. Abhijeet Sinha, Sr. Adv. with Prateek Khanna,
Sanskriti Dixit, Heena Kochar, Adv.**

For Respondents : None

With

Comp. App. (AT) (Ins) No. 1338 of 2025 & I.A. No. 5223 of 2025
IN THE MATTER OF:

Pulkit Gupta

...Appellant

Versus

Keshav Khaneja, IRP Gensol EV Lease Ltd. & Anr.

...Respondent

Present:

**For Appellant : Mr. Abhijeet Sinha, Sr. Adv. with Prateek Khanna,
Sanskriti Dixit, Heena Kochar, Adv.**

For Respondents : None

O R D E R
(Hybrid Mode)

03.11.2025: These two appeals have been filed by the Appellant challenging the order dated 13.06.2025 passed in CP (IB) No.195/ AHM/2025 an CP (IB) No. 199/AHM/2025 by which the Adjudicating Authority while admitting Section 7 application filed by the Financial Creditor (Respondent No. 2), however, had not appointed the Appellant who was proposed as IRP.

2. The Appellant is aggrieved by only that part of the order where observations have been made against the Appellant has filed the present appeal.

3. Ld. Counsel for the Appellant at very outset submits that the Appellant is not interested to be appointed as IRP in the CIRP of the CD, however, adverse observation made may harm the interest of the Appellant.

4. We considered the submissions of the Appellant and perused the record.

5. The objections were raised by the CD to the appointment of the Appellant on the basis of which the Adjudicating Authority did not appoint the Appellant. Admittedly, the Appellant had no opportunity to meet the objections raised by the CD. In view of the fact that the Appellant has clearly stated that he does not intend to claim its right to be appointed as IRP in the CIRP of both the CDs.

6. We are of the view that any observation made in the order adverse to the appellant be not considered to be any adverse observation against the appellant for any purpose.

7. We observe that any observation made by the NCLT on the conduct or character of the Appellant shall not be taken as a final observation in other word disposal of this appeal will be no reflection on the character or conduct of the Appellant as such.

8. In view of the aforesaid facts and circumstances, both the appeals are disposed of without interfering with the order impugned.

[Justice Ashok Bhushan]
The Chairperson

[Barun Mitra]
Member (Technical)

Sheetal/Manu