

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
AT CHENNAI

(APPELLATE JURISDICTION)

Company Appeal (AT) (CH) (Ins) No. 107/2026
(IA Nos.333, 334, 335 & 336/2026)

In the matter of:

Denasa Buildcon

Through its authorized signatory,

Having its registered office at

C-3, Sant Tukaram Vyapar Sankul, First Floor,

Sector-24, Pradhikaran, Above Hotel Savali,

Pune- 411 044, Maharashtra, India.

...Appellant

V

Nalwa Steels and Power Limited (NSPL)

Through its authorised representatives

Successful Resolution Applicant

Having Office at:

28, Najafgarh Road, New Delhi, Delhi - 110015, India.

Shri Pankaj Srivastava

Chairman of Monitoring Committee &

Erstwhile Resolution Professional qua the Corporate Debtor

Having Office at:

5, 5th Cross Navya Nagar, Jakkur,

Bangalore, Karnataka – 560 064, India.

...Respondents

Present :

For Appellant : Mr. Ankur Gupta, Advocate

ORDER
(Hybrid Mode)

[ORAL JUDGMENT: Justice Ashok Bhushan (Chairperson)]:-

01.04.2026:

IA No.334/2026:

This is an application filed by the Appellant, praying for condonation of 42 days of delay that has chanced in filing the appeal. The order impugned was delivered on 20.11.2025, and this appeal has been e-filed on 31.01.2026. The limitation for filing the appeal is 30 days as per Section 61(2) proviso of the I

& B Code, 2016, the power to condone the delay with this Appellate Tribunal is limited to 15 days of condonable period.

2. The Learned Counsel for the Appellant submitted that Appellant was not aware of the order, and he came to know about the order only on 23.12.2025, hence the limitation ought to be determined from 23.12.2025. Hence, he contends that this appeal is within the condonable period. From the order impugned, it is quite apparent that the order was delivered on 20.11.2025, the order having been pronounced on 20.11.2025; the limitation shall commence from the date of pronouncement.

3. The submission of the Appellant, that Appellant came to know about the order only on 23.12.2025, hence limitation shall commence from 23.12.2025, cannot be accepted.

4. The Hon'ble Supreme Court in ***Safire Technologies Pvt. Ltd Vs Regional Provident Fund Commissioner & Anr.*** in ***Civil Appeal No.2212/2021*** decided on 29.04.2022 has already held that the knowledge of the order is not relevant for the purposes of computation of limitation and as soon as the order was pronounced and delivered the limitation shall commence. To the same effect, there is yet another Judgment of this Tribunal in ***Company Appeal (AT) (Ins) No.605/2025, Directorate of Enforcement Vs Anil Kumar Mittal & Ors.***, decided on 08.07.2025, where considering all earlier Judgments, it was held that the limitation for filing the appeal shall commence from the date when the order is delivered/pronounced and the information or knowledge

of the order is not relevant nor the limitation can remain arrested till the Appellant came to know about the order.

5. In view of the aforesaid, we are of the view that the delay in filing the appeal is beyond the condonable period. The Delay Condonation Application, being **IA No.334/2026**, is rejected, and the **Comp App (AT) (CH) (Ins) No.107/2026** is also rejected. All pending Interlocutory Applications, if any, would stand closed.

[Justice Ashok Bhushan]
(Chairperson)

[Justice Sharad Kumar Sharma]
Member (Judicial)

[Jatindranath Swain]
Member (Technical)

VG/MS/AK