

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 1937 of 2026 &
I.A. No. 7360 of 2026

IN THE MATTER OF:

Mrinal Harsh Vardhan

...Appellant(s)

Versus

Hynite Farms Pvt. Ltd. & Anr.

...Respondent(s)

Present:

For Appellant(s) : Mr. Chitranshul Sinha, Mr. Aaditya Mishra, Ms. Srishti Aggarwal & Ms. Aayushi Kiran, Advocates

For Respondent(s) : Mr. Sajeev Deora, Advocate for R-1
Mr. Rishi Singhal & Ms. Tannu Rana, Advocates for R-2

ORDER
(Hybrid Mode)

09.10.2026 The instant appeal has been preferred by Mr. Mrinal Harsh Vardhan against the observations made by the Learned Adjudicating in paragraph Nos. 33 & 34 of the order dated 05.06.2026 and paragraph Nos. 10,12 & 24 of the order dated 06.07.2026 passed in the CP (IB) No. 380 of 2020.

Learned Counsel appearing for the Appellant, at the outset, has drawn our attention towards the aforesaid mentioned paragraphs and also towards the e-mail which was sent by the Appellant, as a Counsel for the RP, in an effort to get the order uploaded which was pronounced in open court on 05.06.2026.

It is vehemently submitted that the plain reading of the e-mail sent by the Appellant, Advocate, would reveal that in the quest of getting the order uploaded which was pronounced on 05.06.2026, the e-mail was sent by the Appellant to the Court Master of the Bench of NCLT concerned and the language used therein is polite and is only reflecting the anxiety of the Counsel, only with regard to the uplodation of the order and nothing else, as the client was repeatedly asking for the copy of the order pronounced in open Court.

It is vehemently submitted that it is the duty of any Advocate is to put forth the cause of his client and when the order pronounced on 05.06.2026 was not uploaded for about 18 days the Counsel for the RP thought in the interest of things that the Court Master of the concerned Bench of the NCLT should be reminded with regard to the uplodation of the order.

It is further submitted that there was no ill intention or any scandalous intention on the part of the Appellant in sending the e-mail to the Court Master and the only anxiety of the Appellant was to get the order uploaded.

It is vehemently submitted that the Appellant is an practicing Advocate and the observations which have been made by the Learned Adjudicating Authority against him would also adversely reflect on his profession and those observations are totally uncalled for and no opportunity was given to the Appellant before making such remarks so that he can defend his action of only sending an e-mail to get the order uploaded which was admittedly pronounced on 05.06.2026.

It is also submitted that the Appellant is having highest regard for the Court and has never made any scandalous observations or any communication not only with regard to this matter but also in any other matter.

Shri Sajeev Deora, Learned Counsel appearing for the Resolution Professional and Ms. Tannu Rana, Learned Counsel appearing for the Respondent No. 2 - M/s Hynite Farms Private Limited, submits that they are not having any objections if these remarks which were totally uncalled for are expunged from the record.

We have heard Learned Counsel for the Parties and have perused the records and also gone through the remarks/observations made by Learned Adjudicating Authority with regard to the alleged conduct of the Appellant in

sending the e-mail. We have also perused the e-mail which clearly shows that the language of the same is quite soft and it has only been stated therein that the order was pronounced on 05.06.2026 and that a certified copy of the said order has been applied, a copy of which was also enclosed with the e-mail and also that the order is urgently required for taking necessary steps towards implementation of the approved Resolution Plan, and also that in view of the directions passed by the Hon'ble Supreme Court the SRA is required to coordinate with the NOIDA authority for implementation of the Resolution Plan and for taking consequential steps in terms of the above and it is in this background a prayer has been made to upload the order.

We understand the anxiety of the Appellant as the matter had travelled up to the Hon'ble Supreme Court and thereafter the plan was approved by the Learned Adjudicating Authority and it appears to be an undisputed fact that the impugned order has been passed in two phrases, as the first order was passed, admittedly on 05.06.2026 and the second order, in which the passing of the order dated 05.06.2026 is also acknowledged, was passed on 06.07.2026, it is also an admitted fact that the order dated 05.06.2026 pronounced in the open Court was not uploaded and final order was uploaded after passing order dated 06.07.2026.

Naturally when the order which was pronounced in the open Court on 05.06.2026 could not be uploaded for 18 days, we do not find any error in the act of the Appellant in sending an e-mail to the Court Master of the concerned Bench, requesting only for the uplodation of the order which was admittedly pronounced in the open Court on 05.06.2026.

In the background of the events noted above, upon perusal of the observations made by the Learned Adjudicating Authority in the aforesaid paragraphs, we find these observations totally uncalled for.

Therefore, having regard all the facts and circumstance of this case, the appeal is finally **disposed of** with the observation that the observation which has been made by the Learned Adjudicating Authority in paragraph Nos. 33 & 34 of the order dated 05.06.2026 and paragraph Nos. 10, 12 & 24 of the order dated 06.07.2026 passed in the CP (IB) No. 380 of 2020 are hereby expunged.

However, no benefit of this order shall be taken by any other party with regard to the proceedings of the contempt pending before the Learned Adjudicating Authority in any other matter.

[Justice Mohammad Faiz Alam Khan]
Member (Judicial)

KS/SID

[Naresh Salecha]
Member (Technical)