www.ecourtsindia.com

IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2023 (arising out of Diary No(s).29170 of 2023)

ASHOK KRIPLANI APPELLANT(S)

VERSUS

KONDURU PRASANTH RAJU & ORS. RESPONDENT(S)

ORDER

Delay condoned.

The present appeal has been filed by the Resolution Professional – Ashok Kriplani, stating that he has not been paid his fee and the costs incurred. The impugned judgment/order dated 07.06.2023 passed by the National Company Law Appellate Tribunal¹, Chennai does not deal with the said aspects.

We are not aware whether the said aspects were a subject matter in the appeal and were raised before the NCLAT. If the said aspects were a subject matter and were raised before the NCLAT, but have not been decided, it will be open to the appellant – Ashok Kriplani to file an application for review before the NCLAT. If an application for review is filed, the same will be considered and examined in accordance with law.

We clarify that we have not made any observations and comments on merits of the prayer made by the appellant – Ashok Kriplani and whether or not any relief/prayer made by the appellant – Ashok

¹ For short "NCLAT".

www.ecourtsindia.com

Kriplani or the aspect/issue could have been considered by the NCLAT.

Post the decision of the review application, it will be open to the appellant – Ashok Kriplani to challenge the impugned judgment/order, if required and necessary, before this Court.

Recording the aforesaid, the appeal is dismissed.

Pending application(s), if any, shall stand disposed of.

(SANJIV KHANNA)

(BELA M. TRIVEDI)

NEW DELHI; OCTOBER 19, 2023.

COURT NO.3 SECTION XVII

SUPREME COURT OF INDIA **RECORD OF PROCEEDINGS**

CIVIL APPEAL Diary No(s). 29170/2023

(Arising out of impugned final judgment and order dated 07-06-2023 851/2020 passed by the National Company Law No. Appellate Tribunal, Chennai)

ASHOK KRIPLANI

Petitioner(s)

VERSUS

KONDURU PRASANTH RAJU & ORS.

Respondent(s)

(FOR ADMISSION and IA No.216254/2023-STAY **APPLICATION** and IA No.216244/2023-CONDONATION OF DELAY IN REFILING / **CURING THE** No.216253/2023-PERMISSION T0 FILE **ADDITIONAL** DEFECTS and IΑ DOCUMENTS/FACTS/ANNEXURES)

Date: 19-10-2023 This petition was called on for hearing today.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Mr. Abinash Kumar Mishra, AOR

For Respondent(s)

UPON hearing the counsel, the Court made the following ORDER

Delay condoned.

The appeal is dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY) COURT MASTER (SH)

(R.S. NARAYANAN) ASSISTANT REGISTRAR

(Signed order is placed on the file)