

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Company Appeal (AT) (Insolvency) No. 107 of 2021**

In the matter of:

Surender Kumar Singhal

....Appellant

Vs.

**Vikram Bajaj, Resolution Professional for AMR
Infrastructure Ltd.**

....Respondent

Present:

**Appellant: Mr. Krishnendu Dutta, Mr. Shantani Chaturvedi,
Advocates.**

**Respondent: Mr. Abhishek Anand, Mr. Kunal Godhwani, Mr. Mohak
Sharma, Advocates.**

ORDER

(Through Virtual Mode)

17.02.2021: Appellant who emerged as the highest bidder with his Resolution Plan approved by the Committee of Creditors (COC) seeks disposal of application filed by the Resolution Professional before the Adjudicating Authority for approval of the Resolution Plan.

2. It is submitted by Mr. Krishnendu Dutta, Advocate appearing for the Appellant that application under Section 31 of the Insolvency and Bankruptcy Code, 2016 ("I&B Code" for short) has been filed by the Resolution Professional on 27th May, 2019 for approval of the Resolution Plan submitted by the Appellant and already approved by the Committee of Creditors (COC) with requisite majority but no order has been passed thereon by the Adjudicating Authority till date. Mr. Abhishek Anand, Advocate appearing on advance notice on behalf of the Respondent- Resolution Professional does not dispute this factual position.

Contd/-.....

3. After hearing learned counsel for the parties, though we find that the appeal at the instance of the Appellant would not be maintainable and it was for the Resolution Professional to project grievance in this regard, having regard to the fact that the Resolution Professional is equally aggrieved of the huge delay in disposal of its application under Section 31 of the 'I&B Code' by the Adjudicating Authority, we deem it appropriate to dispose off this appeal with direction to the Adjudicating Authority that the application of Respondent-Resolution Professional seeking approval of the Resolution Plan of Appellant already approved by the COC with requisite majority be disposed off within two weeks according top most priority to the same. The Adjudicating Authority will report compliance to this Appellate Tribunal.

Copy of this order be communicated to the Adjudicating Authority forthwith.

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[Dr. Ashok Kumar Mishra]
Member (Technical)**

AR/g