

**(2024) ibclaw.in 846 NCLAT**

**IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL**

Principal Bench, New Delhi

**Bhavik Rupapara (Liquidator)**

v.

**Uttar Gujrat Vij Company Ltd. (UGVCL)**

Company Appeal (AT) (Insolvency) No. 2249 of 2024 & I.A. No. 8458 of 2024

Decided on 20-Dec-24

*Mr. Justice Ashok Bhushan (Chairperson) and Mr. Barun Mitra (Technical Member)*

**Add. Info:**

*Corporate Debtor:* Nami Steel Pvt. Ltd.

*For Appellant(s):* Mr. Kushal Bansal, Mr. Anish Ahlawat, Advocates.

---

**Judgment/Order:**

**ORDER**  
**(Hybrid Mode)**

**20.12.2024:** Affidavit of service filed by the Appellant, as directed earlier, is taken on record.

2. This Appeal has been filed against order dated 24.09.2024 passed by NCLT, Ahmedabad Bench in IA No.982/AHM/2024. This appeal has been filed by the Liquidator. The limited grievance raised is that the Adjudicating Authority has made adverse observations against the Liquidator that service has not been properly done upon the Respondent and some other observations.

3. Affidavit of service which was filed before the Adjudicating Authority has been brought on the record which indicate that service was effected by email as well as through postal service and the tracking report which has been brought on record indicate that items were delivered to UGVCL. We are of the view that the issue regarding service may be taken up before the Adjudicating Authority when matter is heard again. We only observe that the observations made against the Liquidator in the impugned order may not be treated as adverse to the Liquidator in any proceeding.

4. Learned counsel for the Liquidator submits that only one counsel, Mr. Masoom Shah, appears for the Liquidator, hence, observations on counsel for the Liquidator were also not required to be made. We record the aforesaid submission made by Liquidator that only one counsel appeared and was heard for the Appellant.

5. With regard to observations made by the Adjudicating Authority regarding liquidation process being conducted by the Liquidator, the Adjudicating Authority has directed the Liquidator to be present on the next date of hearing. It is open for the Liquidator to explain the process taken by the

Liquidator in the proceeding.

6. The Application having been listed for further consideration on 17.12.2024 and not yet decided, it is open for the Appellant to make all submissions, when matter is heard again. With these observations, the appeal is disposed of.

**[Justice Ashok Bhushan]**  
Chairperson

**[Barun Mitra]**  
Member (Technical)

---

*Original judgment copy is available [here](#).*

---

Click on below button to search similar judgments:

[Case Laws Portal](#)

---

[Join WhatsApp Channel](#)

[Subscribe Now](#)

[Corporate Plan](#)

[Dashboard/OnePage](#)

[Case Laws Portal](#)

[Bare Acts/Legal Contents](#)

[IBC Commentary](#)

[Arbitration Portal](#)

[Case Citation](#)

[Weekly Bulletins](#)

[Articles](#)

---

[e-Journals](#)

[Annual Case Digest](#)

[Testimonials](#)

**Follow for daily updates:**

-  [Facebook](#)
-  [LinkedIn](#)
-  [Telegram](#)
-  [X](#)
-  [WhatsApp](#)
-  [YouTube](#)

[Download Mobile App](#)

[Subscribe Daily Email Newsletter](#)

---

---

**Disclaimer:** While every effort is made to avoid any mistake or omission, this document including case-summary/brief about the decision/ add. info/headnote/ judgment/order/ act/ rule/ regulation/ circular/ notification is being circulated on the condition and understanding that the publisher would not be liable in any manner by reason of any mistake or omission or for any action taken or omitted to be taken or advice rendered or accepted on the basis of this document. The authenticity of this text must be verified from the original source. Read more [here](#).