



\$~13

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 3048/2025**

RAJENDRA KUMAR BHARANI

.....Petitioner

Through: Mr. Ashish Bharani and Ms. Ananya
Parashar, Advs. along with petitioner
in person.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Bharathi Raju (SPC)
Mr. Rajdeep Saraf, Ms. Tripti Roy,
Advs. for R3

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

03.04.2025

%

1. The present petition has been filed by the petitioner raising a grievance that the requisite professional charges of the petitioner pursuant to his engagement by the concerned deemed resolution professional Sh. Navjit Singh [who was appointed for the purpose of the corporate insolvency resolution process (CIRP) of M/s. Sharma Kalypso Pvt. Ltd. (Corporate Debtor)] has not been paid to him.

2. It is averred in the petition that the concerned deemed resolution professional had approached the petitioner to provide certain legal services. Pursuant thereto, services were provided by the petitioner from time to time *inter alia* with regard to filing of application seeking extension of time to complete the CIRP and to appear before the NCLT.

3. Accordingly, the petitioner filed the requisite application bearing I.A. No. 5574/2020 seeking extension of time based on the *vakalatnama* executed on 16.12.2020 by the concerned resolution professional. It is



pointed out that four hearings took place in the said application i.e. on 10.02.2021, 16.02.2021, 19.02.2021 and 05.03.2021. The said application came to be disposed of on 05.03.2021.

4. In the meantime, certain replies to applications filed by different entities are also stated to have been prepared by the petitioner on the instructions of the concerned deemed resolution professional. The said replies are stated to have been duly filed before the NCLT in three applications including application bearing I.A. No. 1113/2020 filed by Century Collection, application bearing I.A. No 4108/2020 filed by one Kamal Gainda & Ors and application bearing I.A. No. 5054/2020 filed by Momentum Techsys Pvt Ltd.

5. It is submitted that despite the aforesaid legal services having been rendered by the petitioner, the requisite charges/ fees was not paid.

6. Consequently, the petitioner preferred an application bearing I.A. no. 1741/2023 under Rule 11 of the NCLT Rules, 2016 read with Section 60(5) of the IBC, 2016 before the NCLT, New Delhi seeking appropriate directions for payment of his requisite professional fees amounting to Rs. 3.08 lakhs. The said application was disposed of by the NCLT *vide* order dated 13.12.2023 *inter alia* directing as under:-

*“**IA-1741/2023:** Ld. Counsel appearing for the Liquidator submitted that the claim of the Applicant qua his professional charges espoused in the captioned application would be placed before Stakeholder Consultive Committee (SCC) for its view and decision qua the same would be taken within one week. In view of the statement made by the Ld. Counsel, **the application is disposed of.**”*

7. Pursuant thereto, the matter was considered by the concerned Stakeholder Consultation Committee (SCC), whereupon it was resolved as under:-



“ After discussions and deliberations, the following Resolution is put for E-voting

“ RESOLVED that the professional Fees of Adv. RK Bharani amounting to Rs. 11,000/- for drafting and filing the extension application, Rs. 11,000/- for appearance and Rs. 3000/- against out-of-Pocket expenses incurred during the CIRP period be and is hereby approved”.

8. The petitioner submits that the amount sanctioned to be released by the SCC is only a fraction of the amount to which the petitioner is entitled to. He submits that besides the amount approved by the SCC, a substantial sum of money remains outstanding and payable to the petitioner.

9. Considering the facts and circumstances, the present petition is disposed of with liberty to the petitioner to move an application before the NCLT seeking appropriate direction/s.

10. Upon such application being filed, the NCLT shall duly consider the prayers of the petitioner as regards release of additional amounts and shall pass appropriate order/s thereon after hearing the respective parties, in accordance with law.

11. At this stage, the petitioner submits that he shall be filing an application before the NCLT within a period of two weeks from today. The NCLT is requested to make an endeavour to dispose of the same within a period of eight weeks thereafter.

12. The present petition is disposed of in the above terms.

SACHIN DATTA, J

APRIL 3, 2025/uk