IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 5069 OF 2026
IN
WRIT PETITION NO. 2071 OF 2026

Mr. Brijendra Kumar Mishra, Liquidator of Winsome Diamond and Jewelry Limited ... Applicant

In the matter between :

Amit Gupta ... Petitioner

Versus

Insolvency and Brankruptcy Board of India (IBBI)& Anr. ... Respondents

BIPIN DHARMENDER PRITHIANI
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Mr. Prashant Thakre a/w Kanishk Garg, Siddhi Jain and Abhishek Dube for Applicant.
Mr. Amir Arsiwala a/w Saumya Goyal, Vaishnavi Dhure, Rahul Gupta for Petitioner.
Mr. Pankaj Vijayan for Respondent No.1 in WP/2071/2026.

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CORAM : MANISH PITALE AND
SHREERAM V. SHIRSAT, JJ.

DATE : 22nd OCTOBER 2026

P.C. :

. By this application, the applicant who is liquidator of one Winsome Diamond and Jewelry Limited, seeks impleadment in the writ petition to assist this Court in adjudication of the pending Writ Petition No. 2071 of 2026.

2. The learned counsel for the applicant submits that the applicant is interested in being impleaded for assisting this Court

in adjudication of the writ petition, *inter alia,* for the reason that an interim order dated 6th May 2025 passed by this Court is affecting hearing of a proceeding initiated by the applicant before the National Company Law Tribunal (NCLT). This is in the backdrop of certain specific directions issued by the respondent-Insolvency and Bankruptcy Board of India (IBBI) in the impugned order dated 26th November 2024. It is submitted that therefore, this Court may consider allowing the application.

3. The learned counsel appearing for the petitioner has vehemently opposed the present application and submitted that the applicant can have no concern with the issues that arise in the writ petition, as the petitioner is aggrieved by the impugned order passed by the respondent-IBBI in a disciplinary proceeding. It is submitted that the interim order was passed after hearing the contesting respondent-IBBI and the writ petition is pending consideration. It is submitted that in such a situation, this Court may not entertain the present application.

4. Having heard the learned counsel for the parties, we are of the opinion that the present interim application is misconceived as the issues that arise in the writ petition necessarily pertained to the manner in which the disciplinary proceedings were initiated against the petitioner, which culminated in the impugned order, imposing penalty of cancellation of registration of the petitioner as an insolvency professional, followed by certain directions for recovery of alleged excessive fees recovered by the petitioner. We

are of the opinion that the issues arising in the writ petition necessarily concern the disciplinary proceeding with which the petitioner and the IBBI would be concerned. The applicant being appointed as a liquidator in one of the corporate debtors of which the petitioner was also functioning as a liquidator, cannot be a ground for seeking impleadment in the writ petition. There is no way in which the applicant can give any in-put or assist this Court in adjudication of the issues that arise in the writ petition. The respondent-IBBI is the contesting respondent, which shall be assisting this Court in hearing and disposal of the writ petition. No ground is made out for allowing the present application.

5. Accordingly, Interim Application No. 5069 of 2026 is dismissed.

6. We are informed that the respondent-IBBI has filed its reply affidavit in the writ petition. The learned counsel for the petitioner submits that rejoinder affidavit is not necessary.

7. Hence, list the writ petition for hearing on 30th November 2026 (High on Board).

(SHREERAM V. SHIRSAT, J.) **(MANISH PITALE, J.)**