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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 961/2026 and CM APPL. 4655-4656/2026**

MR GULSHAN KR SACHDEVPetitioner

Through: Petitioner in person.
versus

**THE REGISTRAR PRINCIPAL BENCH NATIONAL COMPANY
LAW TRIBUNAL & ANR.**Respondents

Through: Ms. Shiva Lakshmi, Mr. Kamaldeep
and Mr. Madhav Bajaj, Advocates for
R-1 & 2.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER
22.01.2026

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1. The prayer in the instant writ petition is to the following effect:

“That in view of the facts and grounds pleaded herein, it is most respectfully

prayed that this Hon’ble Court may be pleased to:

(a) Issue a writ of mandamus and/or any other appropriate writ, order or direction laying down guidelines governing the imposition of costs by the Ld. National Company Law Tribunal while exercising restoration jurisdiction under Rule 48(2) of the NCLT Rules, 2016, so as to ensure that such jurisdiction is exercised strictly in accordance with the statutory framework;

AND/OR

(b) Issue a writ of mandamus and/or any other appropriate writ, order or direction laying down guidelines that, in the absence of a finding of default, abuse of process, or statutory violation, costs ought not to be imposed while allowing restoration of applications under Rule 48(2) of the NCLT Rules, 2016;

AND/OR

(c) Issue a writ of certiorari and/or any other appropriate writ, order or direction setting aside the impugned orders, to the extent they impose costs while granting restoration under Rule 48(2) of the NCLT Rules, 2016;

AND/OR



(d) Direct that the guidelines so issued be circulated and implemented through the Registrar General, National Company Law Tribunal, for uniform application across all Benches;

AND/OR

(e) Issue a writ of Certiorari and/or mandamus or any other appropriate Writ, order or direction, thereby, for setting aside the impugned order dated 12.12.2025 passed by the Ld. National Company Law Tribunal, Bench-IV, New Delhi in Res. IA (IBC)-105/2025, Res. IA (IBC)-106/2025 AND Res. IA (IBC)-108/2025 in CP (IB)-901(ND)/2020 to the limited extent of imposing cost of Rs. 1,00,000/- in each JA to the Applicant.

AND/OR

(f) Pass any other order and/or directions as this Hon'ble Court may deem fit in the interest of justice, equity and good conscience."

2. The provisions of the National Company Law Tribunal Rules, 2016 are unequivocally clear. The manner in which such provisions are to be exercised would necessarily depend upon the facts and circumstances of each case.
3. If the petitioner or any other person is aggrieved by any particular direction, the same may be challenged in accordance with law.
4. The Court, however, does not deem it appropriate to lay down any guidelines governing the exercise of jurisdiction under Rule 48(2) of the National Company Law Tribunal Rules, 2016.
5. Accordingly, the petition along with the pending applications stands dismissed.
6. The petitioner, however, shall be at liberty to avail appropriate remedies in accordance with law.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 22, 2026

SH/MJ