

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Ins.) No. 1878 of 2025 &
I.A. No. 7319 of 2025

IN THE MATTER OF:

Central Bank of India

...Appellant

Versus

M.D. Frozen Foods Exports Pvt. Ltd.

...Respondent

Present:

For Appellant : Ms. Richa Sandilya, Advocate.

**For Respondent : Mr. Jeetender Gupta, Mr. Bhavnesh Kashyap,
Advocates.**

O R D E R
(Hybrid Mode)

11.08.2026: In the proceedings those were held before the Ld. National Company Law Tribunal, New Delhi Court-IV, in CP IB No.480 of 2025. The Ld. Tribunal vide its order dated 10.10.2025 had rejected the application preferred by the appellant under Section 7 of I&B Code, on account of the fact that the appellant has not complied with the earlier order dated 22.09.2025. By virtue of which the Ld. Tribunal had directed the appellant to place certain affidavit on record.

2. The Ld. Counsel for the appellant submits that, though the order dated 22.09.2025 was not complied with within the time period prescribed by the Ld. Tribunal, but actually the affidavit was placed on record on 07.10.2025, and it is because of the non-compliance of the order dated 22.09.2025 within time the proceedings have been dismissed.

3. We are of the view that so far as the purpose of filing of an affidavit by virtue of an order dated 22.09.2025, this stood satisfied with the appellant having already filed an affidavit on 07.10.2025 and the affidavit filed thereon ought to have been rationally considered by the Ld. Tribunal even if filed with some delay, rather than dismissing the proceedings under Section 7 of I&B Code on grounds of non-compliance of the order dated 22.09.2025.

4. We are of the view that a litigant before a tribunal is required to have his lis decided on its merits. Hence, we quash the order and remit the matter back to the Ld. National Company Law Tribunal, New Delhi Court-IV, to decide the proceedings of the company petition on its own merits, leaving all contentions raised by the respondent to be considered on merits by the Tribunal.

[Justice Sharad Kumar Sharma]
Member (Judicial)

[Arun Baroka]
Member (Technical)

[Indevar Pandey]
Member (Technical)

SA/rr

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