

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH (COURT-I), CHANDIGARH**

RST.A (COMPANIES ACT)/3(CH)2025

In

CP No. 31/Chd/Hry/2025

(Disposed of on 04/07/2025)

(Application under Rule 11 of National Company Law Tribunal Rules, 2016 and other applicable provisions of the Companies Act, 2013.)

In the matter of:

Mr. Naveen Jangra

R/0 468/16, Kali Devi Road,
Hansi, District Hissar,
Haryana — 125033
Email: navinkhandelwal01@gmail.com
Phone: +91-956081

Applicant

Versus

Skytex Unmanned Aerial Solutions Pvt. Ltd.

Registered Office: 488/ 16, Kali Devi Road,
Hansi, District Hissar,
Haryana — 125033
Email: info@theskytex.com
Phone: +91-9815490918

Respondent No.1

Mr. Sanjay Kumar Verma

R /o C-36, C Block, Defence Colony,
New Delhi — 110024
Email: sanjayverma7@gmail.com
Phone: +91-9810441827

Respondent No. 2

Mr. Atyam Suresh

R/o 22-1, Patha Peta, Nuzvid,
District Krishna,
Andhra Pradesh - 521201
Email: atyamsuresh@gmail.com
Phone: +91-8158013611

Respondent No. 3

Order pronounced on: 05.05.2026

**CORAM: MR. KHETRABASI BISWAL, MEMBER (JUDICIAL)
MR. SHISHIR AGARWAL, MEMBER (TECHNICAL)**

Appearance:

For the Applicant : Mr. Rajiv Bajaj, Advocate
Mr. Subhash Saini, Advocate
For the Respondent : Mr. Saurabh Kalia, Advocate
Mr. S. Shishir, Advocate

ORDER

1. The present Restoration Application has been filed by **Mr. Naveen Jangra** (hereinafter referred to as the “Applicant”), under Rule 11 of the National Company Law Tribunal Rules, 2016, seeking to restore the Company Petition No.31/Chd/Hry/2025, which was ‘dismissed as withdrawn’ *vide* order dated 04.07.2025 of this Tribunal.

SUBMISSIONS BY THE APPLICANT:

2. The averments made by the Applicant in its Application and presented/argued by the learned counsel are summarised as follows:
 - (i) The said Petition was filed under Sections 241 and 242 of the Companies Act, 2013, seeking appropriate reliefs against the acts of oppression and mismanagement perpetrated by Mr. Sanjay Kumar Verma and Mr. Atyam Suresh (hereinafter referred to as “Respondent No.2” and “Respondent No.3” respectively) in the affairs of Skytex Unmanned Aerial Solutions Pvt. Ltd. (hereinafter referred to as “Respondent No.1”)

- (ii) The Applicant submits that on 03.07.2025, due to a persistent breakdown in communication, a perceived lack of professional interest, and an unjustified demand for fees by the then-engaged counsel, Mr. Akaant Mittal, the Applicant had issued instructions for the counsel to withdraw his appearance and cease representation.
- (iii) The Applicant submits that his instructions to the erstwhile counsel were specific and restricted; he had only authorised the withdrawal of their Vakalatnama (appearance) and at no point did he grant authority to withdraw the Company Petition itself. It is contended that the oral submission made by the counsel to withdraw the entire case was a departure from the Applicant's express mandate and was made without his consent.
- (iv) It is further submitted that on the date of hearing i.e., 04.07.2025, another counsel namely, Mr Rajiv Bajaj, had appeared on behalf of the Applicant and had objected to the withdrawal of the petition; however, such objection was not duly considered, and the Tribunal proceeded to rely solely upon the statement of the earlier counsel.

SUBMISSIONS BY THE RESPONDENT:

3. The averments made by the Respondents No.2 and 3 in their Reply and presented/argued by the Learned counsel for the Respondents are summarised hereunder:

- (i) At the outset, it is submitted that the present application is wholly misconceived, not maintainable either in law or on facts, and is nothing but an attempt to reopen a concluded proceeding for extraneous and mala fide reasons.
- (ii) It is contended that the order dated 04.07.2025 was passed in open court based on a clear and unambiguous statement made by the counsel appearing on behalf of the Applicant, who was duly authorised and whose vakalatnama was subsisting on record.
- (iii) It is further argued that the Applicant has failed to place on record any contemporaneous material to demonstrate that the authority of the counsel had been revoked prior to 04.07.2025. In the absence of such revocation, the statement made by the counsel is binding and valid in law.

FINDINGS AND ANALYSIS:

- 4. Heard the Ld. Counsel for the Applicant and Respondents, perused the material available on record, and the extant provisions of law.
- 5. It is observed that during the hearing of the main application, the counsel on record, on instructions, sought permission to withdraw the Company Petition. Accordingly, this Adjudicating Authority *vide* order dated 04.07.2025 the petition *i.e.* C.P. No. 31/Chd/Hry/2025 was dismissed as withdrawn. Relevant portion of the order is reproduced below:

ORDER

File taken up on special mentioning.

It is stated by learned Counsel for the petitioner-Mr. Akaant Kumar Mittal, Advocate, that his vakalatnama is on record, and on instructions, he wants to withdraw the present petition. Further, Mr. Rajiv Bajaj, Advocate, appeared online and submitted that he has instructions to appear in the matter today, but he does not have his vakalatnama or any memo of appearance on record. He has also not obtained a no-objection from the earlier counsel. Keeping in view the statement made by learned Counsel for the petitioner, the present petition is dismissed as withdrawn.

6. On perusal of the record, it is observed that the order dated 04.07.2025 recorded the withdrawal of the petition "on instructions" as sought by the counsel then on record and that the order of dismissal as withdrawn was passed without granting any liberty to the Applicant to revive or restore the petition at a later stage.
7. It is further observed from the records that at the time the request for withdrawal was made on 04.07.2025, the appearing counsel remained the authorized advocate for the Applicant. As no substitute *Vakalatnama* or formal notice of change in representation had been filed prior to the hearing, the Tribunal proceeded based on the apparent authority of the counsel of record. While the Applicant now asserts that instructions were limited to a withdrawal of his appearance, such a different internal communication, if any, was not brought to the Tribunal's attention before the order was passed, and therefore, the proceedings were concluded in accordance with standard legal practice. No evidence of any such

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contemporaneous communication has been brought on record even now to establish the applicant's contention.

8. Furthermore, internal disputes if any, between a client and their counsel regarding the scope of instructions or fee arrangements are matters of professional conduct and contract, do not by themselves, constitute a sufficient ground for the Tribunal to vacate a final order of withdrawal in the absence of a proved professional breach or a preserved right to revive.
9. Accordingly, the Main Application C.P. 31/Chd/Hry/2025 cannot be restored in the given facts and circumstances of the case. Hence, the present **RST.A (COMPANIES ACT)/3(CH)2025 is dismissed and disposed of.**

Sd/-
(SHISHIR AGARWAL)
Member (Technical)

Sd/-
(KHETRABASI BISWAL)
Member (Judicial)
Ruhani