

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 857 of 2020

IN THE MATTER OF:

**Alok Kaushik (Registered Valuer in the CIRP of
Kavveri Telecom Infrastructure Ltd.)**

....Appellant

Vs

**Mrs. Bhuvaneshwari Ramanathan
(Resolution Professional in Kavveri Telecom
Infrastructure Ltd.) & Ors.**

....Respondents

Present:

**For Appellant: Mr. Rajendra Beniwal, Mr. Kumar Sumit and Mr.
Chirag Gupta, Advocates. Mr. Alok Kaushik,
Appellant in person.**

For Respondents: Mr. Rajesh Gautam, Advocate for R-1&2.

Ms. Bhuvaneshwari Ramanathan, RP in person.

**O R D E R
(Through Virtual Mode)**

13.10.2020: After hearing learned counsels for the parties, we find that this Appellate Tribunal while disposing of Company Appeal (AT) (Insolvency) No. 207 of 2017 in terms of order dated 18th December, 2019 dismissed application under Section 7 of the I&B Code thereby setting aside the order of admission passed by the Adjudicating Authority (National Company Law Tribunal), Bengaluru Bench in CP(IB) No. 244/BB/2018 and directed the Adjudicating Authority to decide the fee and cost of the 'Corporate Insolvency Resolution Process' as incurred by the 'Resolution Professional', which was directed to be borne and paid by the Dena Bank (Financial Creditor).

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2. From the impugned order we find that the learned Adjudicating Authority has dismissed the application in regard to further costs claimed by the Appellant – Registered Valuer on the ground that such application is not maintainable and lacks merit. It has been observed in the impugned order that Rs.50,000/- was paid to each of the Valuers which included the Appellant/ Applicant. Therefore, notwithstanding the fact that the observation as regards jurisdiction of Adjudicating Authority is unsupportable, we find that the impugned order cannot be interfered with as the application before the Adjudicating Authority lacks merit. The appeal is accordingly dismissed.

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[V. P. Singh]
Member (Technical)**

**[Shreesha Merla]
Member (Technical)**

am/gc