

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 724 of 2024**

**IN THE MATTER OF:**

**Vikas Shambhukumar Kasliwal**

**...Appellant**

**Versus**

**Indiabulls Housing Finance Ltd. & Anr.**

**...Respondents**

**Present:**

**For Appellant : Mr. Rohit Gupta, Ms. Aakash Lodha and Ms. Prashasa, Advocates.**

**For Respondents : Ms. Shoma Mitra, Mr. Aman Raj Gandhi, Ms. Apoorva Kaushik, Mr. Parthasarathy Bose, Ms. Panchi Agarwal and Mr. Uday Mahtur, Advocates.**

**ORDER**  
**(Hybrid Mode)**

**15.04.2024:** This Appeal has been filed against the Order dated 19.03.2024, by which order the Adjudicating Authority in Section 95 application has appointed the Resolution Professional.

**2.** Learned Counsel for the Appellant challenging the order submits that the loan was assigned but assignee has not come on the record. He has further raised certain other issues. In view of the Judgment of the Hon'ble Supreme Court in '*Dilip B. Jiwrajka*' Vs. '*Union of India & Ors.*' reported in *Writ Petition (Civil) No. 1281 of 2021*, it is well settled that no adjudicatory issue can be raised at the time of appointment of the RP under Section 95 and all issues can be looked into and raised when the application come for admission or rejection under Section 100.

**3.** It shall be opened for the Appellant to raise all his objection including his objection regarding the maintainability to the RP as well as before the

Adjudicating Authority at the time of hearing of the application under Section 100 of the Code.

With these observations, the Appeal is dismissed.

**[Justice Ashok Bhushan]**  
**Chairperson**

**[Barun Mitra]**  
**Member (Technical)**

**[Arun Baroka]**  
**Member (Technical)**

*himanshu/md*