

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 1006 of 2020**

**In the matter of:**

**Anil N. Surwade & Ors.**

**....Appellants**

**Vs.**

**Mr. Prashant Jain, Resolution Professional,  
Sejal Glass Ltd.**

**....Respondent**

**Present:**

**Appellants: Mr. Mayank Kshirsagar, Mr. Darryl Periera and Mr. Parthasarathi Bose, Advocates.**

**ORDER**

**(Through Virtual Mode)**

**03.12.2020:** Appellants, the employees of Corporate Debtor, are aggrieved of rejection of their application vide impugned order dated 28<sup>th</sup> September, 2020 passed by the Adjudicating Authority (National Company Law Tribunal), Mumbai Bench, Special Bench, Court No.II, on the ground that employees of the Corporate Debtor have a limited interest regarding their claims to which they are entitled from the Corporate Debtor. It is submitted on behalf of the Appellants that the Appellants as Operational Creditors wanted to have access to the proceedings before the Committee of Creditors in regard to Corporate Insolvency Resolution Process and Resolution Plans filed for approval.

2. After hearing learned counsel for the Appellants, we are of the view that the application before the Adjudicating Authority culminating in passing of the impugned order was not maintainable as the Appellants in their capacity as Operational Creditors (employees of the Corporate Debtor) would have a limited interest to the extent of satisfaction of their claims which have been admitted by the Resolution Professional. Their role could not be enlarged. It is equally absurd

Contd/-.....

to put the Appellants at par with the erstwhile Board of Directors seeking information in regard to the Resolution Plans and the proceedings before the Committee of Creditors. Once the claims of the Appellants have been admitted, no role is ascribed to them in the deliberation of the Committee of Creditors. The application on consideration whereof the impugned order came to be passed, would not be maintainable.

We find no merit in this appeal. The same is dismissed. However, we make it clear that the dismissal of this appeal will not in any manner be construed as affecting the Appellants' right in regard to their claim.

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

**[Justice Anant Bijay Singh]  
Member (Judicial)**

*AR/g*