

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

**I.A. No.1400 of 2020 in**  
**Company Appeal (AT) (Insolvency) No. 1340 of 2019**

**IN THE MATTER OF:**

**Ritu Murli Manohar Goyal**

**...Appellant**

**Versus**

**SVG Fashions Ltd. & Anr.**

**...Respondents**

**Present:**

**For Appellant: Mr. Keith Varghese, Advocate.**

**For Respondents:**

**ORDER**

**(Through Virtual Mode)**

**19.06.2020** Heard learned counsel for the Applicant who was Appellant in Company Appeal (AT) (Insolvency) No. 1340 of 2019 and perused the record. It appears that while allowing the appeal in terms of judgment rendered on 22<sup>nd</sup> May, 2020 in paragraph 16 'Corporate Debtor' has been burdened with the liability to pay the resolution process cost i.e. fee of the Resolution Professional for the period he functioned as such though in terms of the relevant Regulations framed under the I&B Code and the settled law on the subject, the resolution cost had to be borne by the 'Operational Creditor'.

After scanning through the record, we are satisfied that in paragraph 16 while fixing the liability for payment of resolution cost i.e. fee of the Resolution Professional, the expression 'Corporate Debtor' has been inadvertently recorded in

place of 'Operational Creditor'. This being a mere typographical error/ mistake is liable to be rectified and invoking the inherent power vested in this Appellate Tribunal under Rule 11 of NCLAT Rules, 2016, the error is rectified by substituting the expression 'Corporate Debtor' with 'Operational Creditor' in paragraph 16 of the Judgment. Rectified order be prepared and appended with the record. Interlocutory Application No. 1400 of 2020 is disposed of.

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

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

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

*am/gc*