

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

**Company Appeal (AT)(Ins) No. 539 of 2019**

**IN THE MATTER OF:**

**M/s. Suntech Infra Solutions Pvt. Ltd.**

**...Appellant**

**Versus**

**M/s. Cinda Engineering & Construction  
Pvt. Ltd. & Ors.**

**...Respondents**

**Present**

**For Appellant:**

**Mr. Saurabh Seth, Advocate**

**For Respondents:**

**Mr. Rhea Luthra, Mr. Nalin Kaushik and Mr. Vijender  
Sharma, Advocates for IRP**

**ORDER**

**15.07.2019** In spite of the order passed by this Appellate Tribunal on 24<sup>th</sup> January, 2019, the Adjudicating Authority (National Company Law Tribunal), New Delhi by impugned order dated 22<sup>nd</sup> April, 2019 directed the 'Operational Creditor' to pay a sum of Rs. 2,00,000/- to the 'Resolution Professional', which is against the spirit of the order passed by this Appellate Tribunal and is not appreciated by this Appellate Tribunal. Accordingly we set aside the order dated 22<sup>nd</sup> April, 2019 and remit the matter to the Adjudicating Authority who will fix the fee and cost as directed in the order passed by this Appellate Tribunal on 24<sup>th</sup> January, 2019 in "***Company Appeal (AT) (Insolvency) No. 738 of 2018***".

The appeal is remitted with the aforesaid observations and direction.

[Justice S.J. Mukhopadhaya]  
Chairperson

[Balvinder Singh]  
Member (Technical)

[Kanthi Narahari]  
Member (Technical)