

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 684 of 2026

IN THE MATTER OF:

Unity Small Finance Bank Ltd. ...Appellant

Versus

Abhishek Chowdhary ...Respondents

Present:

For Appellant : Mr. Kanishk Khetan, Advocate.

For Respondents :

With

Company Appeal (AT) (Insolvency) No. 688 of 2026

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O R D E R
(Hybrid Mode)

16.04.2026: These two appeals have been filed against order dated 24.03.2026 passed by the NCLT, Ahmedabad Bench in I.A. No.448(AHM)2026 in C.P.(IB)/363(AHM)2025 and in I.A. No.447(AHM)2026 in C.P.(IB)/361(AHM)2025.

Cont'd.../

2. Present is a case where Section 95 applications were filed by the Appellant in which Resolution Professional was appointed on 28.01.2026 and the Adjudicating Authority directed to deposit fee of Rs.2 Lakhs to the Resolution Professional. Next date was fixed on 23.02.2026. On the next date when matter was taken up Resolution Professional made complaint that he has not received the fee. The Adjudicating Authority imposed cost of Rs.1 Lakh on the Appellant to be deposited in Prime Minister National Relief Fund before next date of hearing and further to pay Rs.2 Lakhs to the Resolution Professional within two days.

3. Appellant's case is that the Appellant has deposited the fee of Rs.2 Lakhs within two days as directed by the Adjudicating Authority and an application was filed by the Appellant for waiver of cost i.e. I.A. No.448(AHM)2026 in C.P.(IB)/363(AHM)2025 and another I.A. No.447(AHM)2026 in C.P.(IB)/361(AHM)2025. The Adjudicating Authority by the impugned orders has rejected the IAs for waiver of the cost, aggrieved by which orders these appeals have been filed.

4. Learned counsel for the Appellant contended that the delay in deposit of the fee was due to compliance of the KYC document, which were asked from the Resolution Professional and delay was not deliberated and relevant correspondence has also been placed before the Adjudicating Authority. It is submitted that within two days from the order dated 23.02.2026 fees of Rs.2 Lakhs was paid, hence, it was the case where the Adjudicating Authority ought to have waived the cost.

5. We have heard learned counsel for the Appellant and perused the record. The prayer in the appeals is only with regard to waiver of cost, we see no reason to issue notice to the Respondent. On 28.01.2026, the Adjudicating Authority directed the Appellant to make payment of fee to the Resolution Professional within a week and next date was fixed for 23.02.2026. When fee was not paid, direction was issued for imposition of cost of Rs.1 Lakh. We are of the view that it was well within the discretion of the Adjudicating Authority to impose cost when Resolution Professional has made complaint.

6. In facts of the present case, we are of the view that cost of Rs.1 Lakh in both the cases need to be reduced to Rs.10,000/- (Rupees Ten Thousand Only), which may be deposited in Prime Minister National Relief Fund within a week. Both the Appeals are disposed of.

**[Justice Ashok Bhushan]
Chairperson**

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

Archana/md