



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**WRIT - C No. - 14929 of 2026**

Company Law Tribunal Bar Association

.....Petitioner(s)

Versus

Union Of India And 2 Others

.....Respondent(s)

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Counsel for Petitioner(s) : Abhinav Gaur, Tanmay Sadh, Udai Chandani

Counsel for Respondent(s) : A.S.G.I.

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**Court No. - 40**

**HON'BLE SARAL SRIVASTAVA, J.  
HON'BLE GARIMA PRASHAD, J.**

1. On 24.4.2026, this Court passed the following order;

*"1. On 22.04.2026, we passed following order:-*

*"Heard Sri Udai Chandani, learned counsel for the petitioner and Sri Sudarshan Singh, learned counsel appearing for Union of India.*

*Petitioners, who are the Company Law Tribunal Bar Association, are aggrieved by the decision taken by the Registrar of National Company Law Tribunal, New Delhi under its order dated 27.02.2026 directing for the scrutiny of the matters filed before the National Company Law Tribunal, Allahabad Bench to be conducted jointly by the National Company Law Tribunal, Principal Bench, New Delhi and National Company Law Tribunal, Allahabad Bench.*

*It is pleaded that scrutiny of matters filed before the NCLT can always be examined and scrutinized by the Registry of the concerned Bench itself as the first part of public notice very clearly stipulates that the matters filed before the NCLT, Jaipur Bench shall be scrutinized by the Registry of the NCLT, Jaipur Bench. It is thus, contended that not only the order is highly discriminatory but also does not fulfill the object for which it has been issued. It is further contended that this joint conduct of the scrutiny through online mode or otherwise will not only delay the hearing of the matter but will further complicate the matters. It is also contended that the Registry has to scrutinize the matter before it is placed before the Bench concerned for its adjudication and disposal and such clerical job should always be done at the end of Registry of the Court/ Tribunal concerned.*

*Upon a pointed query being made to meet the argument advanced by the learned counsel for the petitioner, Mr. Sudarshan Singh, learned counsel for Union of India seeks time to have instructions in the matter.*

*Matter requires consideration.*

*Learned Additional Solicitor General Sri S.P. Singh is requested to obtain*

*instructions in the matter as to whether there is an officer available at NCLT, Allahabad Bench, competent enough, to do the scrutiny of the petitions or otherwise the reasons and circumstances for passing the order impugned.*

*Put up day after tomorrow i.e. 24.04.2026."*

*2. Shri S.P. Singh, learned Additional Solicitor General of India assisted by Shri Sudarshan Singh, learned counsel for the Union of India submits he has obtained instruction and has placed the same before the Court.*

*3. Instructions are taken on record.*

*4. From the instructions that has been provided to learned Additional Solicitor General of India, it clearly transpires that step was taken for coordinated scrutiny of the petitions to be filed before the National Company Law Tribunal, Allahabad Bench, only in order to streamline the working of the registry at scrutiny level so that there is no pendency and no one has any grievance. It has also come to be stated in the instruction that there is adequate number of assistant staff available at NCLT, Allahabad Bench to under take this scrutiny process and soon they will be handed over the responsibility with respect to the scrutiny work, once the work of scrutiny is streamlined.*

*5. We however, notice that the chart that has been appended of different dates the latest status appears to be that there is no pendency of scrutiny at Allahabad. This is dated 01.04.2026. We further notice that the order impugned came to be passed on 27.02.2026, whereas in the month of February, 2026, as per the chart dated 23.02.2026, there was no pendency of petitions under scrutiny at NCLT, Allahabad. We further notice that in the chart appended on 02.03.2026 again there was no pendency at NCLT, Allahabad. Thus, prima facie we are convinced that there was no justification for the Registrar of the Principle Bench of the National Company Law Tribunal, Delhi for passing the order impugned.*

*6. We are also informed at the bar that a regular Deputy Registrar and an Assistant Registrar both were working on the date of the passing of the order and the scrutiny work was being done for the National Company Law Tribunal, Jaipur Bench working at Allahabad itself and hence there was no justification for passing such order. A Deputy Registrar and Assistant Registrar are working also at present. The above statement stands corroborated fully by the documents that have been brought on record vide instructions placed before us in which it has been stated that there is adequate staff available at Allahabad for the purposes of working.*

*7. Considering the above, before this Court could have passed further order, at this stage, Shri S.P. Singh, learned Additional Solicitor General of India requested for adjournment till tuesday to come back with fresh instructions.*

*8. Request is accepted. Put up on Tuesday i.e. 28.04.2026, immediately after fresh."*

*2. Today, when the matter was taken up, Sri S.P. Singh, learned Additional Solicitor General of India, submitted that, on the complaint of the Bar, the scrutiny has been transferred to the*

Principal Bench of the National Company Law Tribunal, Delhi.

3. We find that the petitioner has made out a prima facie case, inasmuch as none of the questions put to the respondents by this Court in earlier orders have been answered in the instructions. Further, on the request of the Bar, the Chairman has taken a decision to transfer the scrutiny of cases from the Allahabad Bench of the National Company Law Tribunal to the Principal Bench of the National Company Law Tribunal, Delhi.

4. We are further, prima facie, of the view that if, on the request of members of the Bar, such a decision is taken by the Principal Bench of the National Company Law Tribunal, Delhi, it would defeat the very object of the Tribunal. Such action may disturb the purpose of establishing various Benches, as litigants falling within the jurisdiction of such Benches may either be deprived of justice or face delay in the administration of justice.

5. In view of the aforesaid facts, we find that the petitioner has made out a prima facie case. Accordingly, we stay the notification dated 27.02.2026 till further orders.

6. We permit the Registry of the Allahabad Bench of the National Company Law Tribunal to scrutinize fresh cases and other applications and place them before the concerned Bench without sending them to the Principal Bench of the National Company Law Tribunal, Delhi.

7. The respondents are granted two weeks' time to file a counter affidavit. Rejoinder affidavit, if any, may be filed within one week thereafter.

8. List this case on 21.05.2026.

(Garima Prashad,J.) (Saral Srivastava,J.)

**April 30, 2026**

Sachin Mishra