

News

was asked to support a party by the "most revered member of higher judiciary"



After revealing that he had been contacted by someone from the higher judiciary seeking a favorable decision, NCLAT member Justice Sharad Kumar Sharma resigned from hearing the case.

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The National Company Law Appellate Tribunal (NCLAT) at Chennai has recorded that it was approached by “one of the most revered members of the higher judiciary” seeking a **favourable** order for a party in an insolvency matter **[Attloru Sreenivasulu Reddy Suspended Director of M/s. KLSR Infratech Ltd Vs M/s. AS Met Corp Pvt. Ltd. & Anr.]**.

Justice Sharad Kumar Sharma, a member of the NCLAT judicial panel, stated that he was contacted for a favorable decision and subsequently resigned from hearing the case on

August 13.

The bench, which also included Member (Technical) **Jatindranath** Swain, conveyed its distress over the situation and ordered that the NCLAT chairperson nominate a different bench to hear the issue.

We regret to inform you that one of the most esteemed members of this nation's higher judiciary has approached one of us, the Member (Judicial), to request an order in support of a specific party. As a result, I decline to consider the case," the August 13 NCLAT order stated.

Before leaving the court on August 13, Justice Sharma showed the lawyers involved a message he had received on his cell phone, according to sources who spoke to Bar & Bench. The message's contents are still unclear because they were not revealed in court.

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NCLAT

The case relates to a 2023 appeal that contested a ruling that allowed a Hyderabad-based business to participate in the Insolvency and Bankruptcy Code's (IBC) Corporate Insolvency Resolution Process (CIRP).

The appeal was placed for orders before a two-member committee at the NCLAT Chennai. But now that Justice Sharma has recused himself, the subject is anticipated to be brought before the chairperson for the creation of a new committee to consider the case.

Read NCLAT as well. After claiming that a retired High Court judge contacted him for a favorable decision, a member from Chennai recuses Justice Sharma had previously recused himself on the grounds of trying to sway the outcome.

While considering a number of appeals stemming from conflicts involving Shri Ramalinga Mills and other businesses on June 11, Justice Sharma mentioned that one of the respondents had tried to contact him in hopes of receiving a favorable ruling. He recused himself in that instance as well and ordered the issues to be re-allocated to the chairperson.

The same member had recused himself from a separate case concerning **Jeppiar Cements** in November 2024 after noting in an order that his brother had approached him and asked him to put the case on hold for orders.

The order dated November 18, 2024, stated:

"I refuse to hear this appeal because my genuine brother approached me and left the following messages with a heartfelt apology. In order to nominate a new bench, let the subject be brought before the Honorable Chairperson.

Justice Sharma and Technical Member **Jatindranath** Swain were hearing that matter. It started when the previous director of **Jeppiar Cements** pleaded to have the CIRP against the company thrown out on the grounds that all debts owed to creditors had been paid. Since October 2022, the case had been pending before the Chennai Bench.

Since the CIRP of **Byju's** was started on a request submitted by the Board of Control for Cricket in India (BCCI), for whom he had previously acted as an attorney in numerous cases, Justice Sharma earlier in 2024 declined to consider any matters relating to the case.