



File No. 25/02/2026-NCLT(Reg.)

राष्ट्रीय कम्पनी विधि अधिकरण/ NATIONAL COMPANY LAW TRIBUNAL

छठा तल, ब्लॉक-3,
सी. जी. ओ. कम्प्लेक्स, लोधी रोड,
6th Floor, Block-3,
CGO Complex, Lodhi Road,
नई दिल्ली / New Delhi- 110003
दिनांक / Dated: 5th June 2026

CIRCULAR

Subject: Filing of Vakalatnama/Memorandum of Appearance and appearance before the National Company Law Tribunal – reg.

Reference is invited to Rules 2(3), 2(6), 2(16), 45, 119, 120 and 121 of the National Company Law Tribunal Rules, 2016 relating to appearance of parties through authorised representatives/legal practitioners before the Tribunal.

Rule 45 of the NCLT Rules, 2016 provides that every party may appear either in person or through an authorised representative duly authorised in writing and mandates filing of Vakalatnama or Memorandum of Appearance in Form NCLT-12. Further, Rule 119 provides that no legal practitioner or authorised representative shall be entitled to appear and act in any proceeding before the Tribunal unless the vakalatnama or memorandum of appearance is duly filed before the Tribunal.

The Hon'ble Supreme Court in **Uday Shankar Triyar v. Ram Kalewar Prasad Singh & Anr., AIR 2006 SC 269**, while dealing with deficiencies in vakalatnama, emphasised the need for scrutiny of such defects at the initial stage itself so that they may be rectified in time and do not give rise to avoidable procedural complications at a later stage. The Hon'ble Court also recognised that Courts and Tribunals are entitled to insist upon proper authorisation for appearance and representation before them.

It has been observed that in several matters before different Benches of the National Company Law Tribunal, advocates and authorised representatives are appearing, making mentioning's, seeking adjournments or otherwise addressing the Bench without a duly executed vakalatnama or memorandum of appearance being on record. It has further been observed that counsel appearing on advance service frequently raise objections relating to maintainability and make substantive submissions on behalf of parties without the authority to appear having been duly filed before the Tribunal.

In order to ensure procedural uniformity and proper compliance with the provisions of the NCLT Rules, 2016, the following directions are hereby issued for compliance by all concerned:

1. No advocate, legal practitioner or authorised representative shall ordinarily be permitted to appear, make mentioning, seek adjournment, or address the Bench in any matter unless duly executed vakalatnama or memorandum of appearance in Form NCLT-12 is filed in the concerned matter.

2. In cases involving urgency, the Bench may, at its discretion, permit provisional appearance subject to filing of vakalatnama/memorandum of appearance within such time as may be granted by the Bench.
3. Where any vakalatnama or memorandum of appearance is found to be defective, incomplete, unsigned, unstamped, improperly executed, or otherwise deficient, the Registry may permit curing of such defects within the time granted for removal of defects, in terms of the principles laid down by the Hon'ble Supreme Court in **Uday Shankar Triyar v. Ram Kalewar Prasad Singh & Anr.**, AIR 2006 SC 269.
4. The Registry shall ensure scrutiny of vakalatnama/memorandum of appearance with respect to:
 - (i) signatures/execution by the concerned party;
 - (ii) acceptance/signature by the advocate or authorised representative;
 - (iii) enrolment particulars, wherever applicable along with mobile no. and email address of the counsel;
 - (iv) proper authorisation in case of companies, LLPs, banks, financial institutions, Government departments or statutory authorities; and
 - (v) compliance with applicable procedural requirements.
5. In cases where Company Secretaries, Chartered Accountants, Cost Accountants or other authorised representatives appear before the Tribunal, appropriate authorisation/board resolution/letter of authority shall accompany the memorandum of appearance.
6. Where a counsel or authorised representative seeks to appear on the basis of advance service prior to filing a reply or vakalatnama/memorandum of appearance on record, a Memorandum of Appearance in Form NCLT-12 shall be submitted to the Court Master before commencement of the proceedings or within such time as may be directed by the Bench. Such Memorandum shall clearly indicate the name of the counsel/authorised representative, enrolment number (where applicable), mobile number, e-mail address, item number, case number and cause title of the matter.
7. Any change of legal practitioner or authorised representative shall be governed by Rules 120 and 121 of the NCLT Rules, 2016 and the requisite vakalatnama, memorandum of appearance, consent/no-objection or other documents, wherever applicable, shall be filed before the Tribunal. In cases where a no-objection certificate from the previously engaged legal practitioner or authorised representative is required but could not be obtained, the newly engaged counsel or authorised representative shall file an affidavit disclosing the circumstances and affirming that reasonable efforts were made to obtain such no-objection certificate.

8. Upon filing of a fresh vakalatnama or memorandum of appearance consequent upon a change of legal practitioner or authorised representative, the newly engaged counsel or authorised representative shall ensure completion of the requisite formalities for updation of counsel particulars in the CIS/e-filing system in the manner prescribed by the Registry.
9. Until such updation is effected, the Registry shall continue to reflect the particulars available in the CIS/e-filing records for the purposes of cause lists, electronic service of notices and communications, daily orders, judgments and other official records of the Tribunal.
10. The Court Master and Registry shall record and reflect in the cause lists, daily proceedings, orders and judgments only such particulars of legal practitioners or authorised representatives as are available in the CIS/e-filing system. Where the requisite formalities for updation of counsel particulars have not been completed, the name and particulars of the newly engaged counsel or authorised representative need not be incorporated in the aforesaid records until such updation is carried out.
11. All Registrars shall circulate this Circular amongst the officers and staff of the Registry and ensure strict compliance.

By Order of the Hon'ble President, NCLT.


(Utkarsh Yadav)
05/06/26
Registrar

Copy to:-

1. P.S. to Hon'ble President, National Company Law Tribunal, New Delhi.
2. P.S. to Hon'ble Members, National Company Law Tribunal.
3. All Designated Registrar of NCLT Benches.
4. All Court Masters of NCLT Benches.