

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE/INHERENT JURISDICTION

CIVIL APPEAL NO(S).

@ DIARY NO.40077/2023

STRAIGHT EDGE CONTRACTS PVT. LTD.

APPELLANT(S)

VERSUS

RAKESH KUMAR GUPTA & ORS.

RESPONDENT(S)

WITH

CONMT.PET.(C) NO. 13-17/2024 IN C.A. NO. 6792-6796/2023,  
CONMT.PET.(C) No. 586-590/2024 in C.A. No. 6792-6796/2023  
& CONMT.PET.(C) No ....@ DIARY NO(S). 23327/2024

O R D E R

CIVIL APPEAL NO(S).

@ DIARY NO.4007/2023

1. Delay condoned.
2. Shri Arvind Nayar, learned senior counsel appearing for the appellant submits that the grievance of the appellant is that the observations made by the National Company Law Tribunal (NCLT) in its order dated 29.03.2022 with regard to collusion are unsustainable and therefore, it filed an appeal before the National Company Law Appellate Tribunal (NCLAT) for expunging the said remarks.
3. The further grievance of the appellant is that the said appeal has been dismissed by NCLAT by way of the impugned order without giving an opportunity of hearing to the appellant.
4. We set aside the impugned order dismissing the appeal. The appeal of the appellant herein is restored to the file of NCLAT, which would be decided in accordance with law, after hearing the parties. The appeals will be confined to the prayer for expunging of remarks.
5. The appeals are, accordingly, disposed of.
6. Pending application(s), if any, shall stand disposed of.

CONMT.PET.(C) NO. 13-17/2024 IN C.A. NOS. 6792-6796/2023,  
CONMT.PET.(C) NOS. 586-590/2024 in C.A. NOS. 6792-6796/2023  
& CONMT.PET.(C) No ....@ DIARY NO(S). 23327/2024

---

1. The contempt petitions are disposed of with the liberty to the petitioner(s) to file appropriate application before the NCLT, which will be considered in accordance with law.
2. Pending application(s), if any, shall stand disposed of.

.....J  
( B.R. GAVAI )

.....J  
( K.V. VISWANATHAN )

NEW DELHI;  
NOVEMBER 19, 2024

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(S). 6792-6796/2023

GREENOPOLIS WELFARE CONFEDERATION

APPELLANT(S)

VERSUS

RAKESH KUMAR GUPTA &amp; ORS.

RESPONDENT(S)

(IA No. 248115/2023 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 249206/2023 - CLARIFICATION/DIRECTION  
 IA No. 240987/2023 - CLARIFICATION/DIRECTION  
 IA No. 205212/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
 JUDGMENT, IA No. 205213/2023 - GRANT OF INTERIM RELIEF  
 IA No. 212028/2023 - INTERVENTION APPLICATION  
 IA No. 239119/2023 - INTERVENTION APPLICATION  
 IA No. 238998/2023 - INTERVENTION APPLICATION  
 IA No. 19644/2024 - INTERVENTION APPLICATION  
 IA No. 213168/2023 - INTERVENTION/IMPLEADMENT  
 IA No. 12825/2024 - INTERVENTION/IMPLEADMENT  
 IA No. 181065/2024 - INTERVENTION/IMPLEADMENT  
 IA No. 214405/2023 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES  
 IA No. 14471/2024 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES  
 IA No. 211474/2023 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES  
 IA No. 83505/2024 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES  
 IA No. 41988/2024 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES  
 IA No. 236782/2023 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES  
 IA No. 14615/2024 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES)

WITH

Diary No(s). 40077/2023 (XVII)

(IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA  
 226909/2023, FOR STAY APPLICATION ON IA 226910/2023  
 FOR CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS ON IA  
 226912/2023, FOR INTERVENTION APPLICATION ON IA 237379/2023  
 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA  
 14213/2024, IA No. 226912/2023 - CONDONATION OF DELAY IN REFILING /  
 CURING THE DEFECTS, IA No. 226909/2023 - EXEMPTION FROM FILING C/C  
 OF THE IMPUGNED JUDGMENT, IA No. 237379/2023 - INTERVENTION  
 APPLICATION, IA No. 14213/2024 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES, IA No. 226910/2023 - STAY APPLICATION)

C.A. No. 6797-6801/2023 (XVII)  
(IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 206690/2023, FOR GRANT OF INTERIM RELIEF ON IA 206691/2023 FOR impleading party ON IA 236614/2023 FOR INTERVENTION/IMPLEADMENT ON IA 236614/2023  
IA No. 206690/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT  
IA No. 206691/2023 - GRANT OF INTERIM RELIEF  
IA No. 236614/2023 - INTERVENTION/IMPLEADMENT)

C.A. No. 6802-6806/2023 (XVII)  
(IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 213248/2023 , FOR GRANT OF INTERIM RELIEF ON IA 213249/2023  
IA No. 213248/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 213249/2023 - GRANT OF INTERIM RELIEF)

CONMT.PET.(C) No. 13-17/2024 in C.A. No. 6792-6796/2023 (XVII)  
(FOR APPOINTMENT OF ENGLISH TRANSLATOR ON IA 3461/2024 FOR EXEMPTION FROM FILING O.T. ON IA 4194/2024  
IA No. 3461/2024 - APPOINTMENT OF ENGLISH TRANSLATOR  
IA No. 4194/2024 - EXEMPTION FROM FILING O.T.)

Diary No(s). 23327/2024 (XVII)  
(FOR APPLICATION FOR PERMISSION ON IA 140825/2024  
IA No. 140825/2024 - APPLICATION FOR PERMISSION)

CONMT.PET.(C) No. 586-590/2024 in C.A. No. 6792-6796/2023 (XVII)  
(FOR ADMISSION)

Date : 19-11-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s)

Mr. Sanjay Jain, Adv.  
Mr. Jai Shankar Sikand, Adv.  
Ms. Princi Pandey, Adv.  
Mr. Vishwa Pal Singh, AOR

Mr. Mukul Rohtagi, Sr. Adv.  
Mr. Maninder Singh, Sr. Adv.  
Mr. Vasanth Rajashekharan, Sr. Adv.  
Ms. Jyoti Taneja, Adv.  
Mr. Prabhas Bajaj, Adv.  
Ms. Ankita Rastogi, Adv.  
Mr. Devanshu Yadav, Adv.  
Mr. Gautam Awasthi, AOR

Mr. Arvind Nayar, Sr. Adv.  
Mrs. Sonal Alagh, Adv.  
Mr. Rishabh Kapoor, Adv.

Mrs. Pratima Ajjmera, Adv.  
Mr. Akshay Joshi, Adv.  
Mr. Nivesh Kumar, AOR

Mr. C.S. Vaidyanathan, Sr. Adv.  
Mr. Sanjay Jain, Sr. Adv.  
Mr. Harshit Sethi, Adv.  
Mr. Tanmay Mehta, Adv.  
Mr. Jain Shankar Sikand, Adv.  
Mr. Kartik Yadav, Adv.  
Mr. Subham Seth, Adv.  
Mr. Nikilesh Ramachandran, AOR

Mr. M L Lahoty, Adv.  
Ms. Pooja Mahajan, Adv.  
Mr. Savar Mahajan, Adv.  
Mr. Srivatsava Reddy Beerapalli, Adv.  
Mr. Avinash B. Amarnath, AOR

Mr. Suresh Dhawan, Adv.  
Mr. Shashwat Goel, AOR

Mr. Gopal Singh, AOR

For Respondent(s) Mr. Kapil Sibal, Sr. Adv.  
Mr. Amit Anand Tiwari, Sr. Adv.  
Mr. Raj Kamal, Adv.  
Mr. Aseem Atwal, Adv.  
Mr. Siddhant Sharma, AOR

Mr. Niranjan Sahu, AOR

Mr. Prashanto Chandra Sen, Sr. Adv.  
Ms. Pooja Mahajan, Adv.  
Mr. Savar Mahajan, Adv.  
Mr. Srivatsava Reddy Beerapalli, Adv.  
Mr. Avinash B. Amarnath, AOR

Ms. Pallavi Pratap, AOR

Mr. Anupam Lal Das, Sr. Adv.  
Mr. Raj Kamal, AOR  
Mr. Arush Khanna, Adv.  
Mr. Aseem Atwal, Adv.  
Ms. Aprajita Tyagi, Adv.

Mr. Rishi Kapoor, AOR

Mr. Arvind Nayar, Sr. Adv.  
Mrs. Sonal Alagh, Adv.  
Mr. Rishabh Kapoor, Adv.  
Ms. Pratima Ajjmera, Adv.

Mr. Akshay Joshi, Adv.  
Mr. Nivesh Kumar, AOR

Mr. Nalin Kohli, Sr. Adv.  
Mr. Shivam Singh, Adv.  
Mr. Ishwar Singh, Adv.  
Ms. Vijeta Singh, Adv.  
Mr. Arnav Behari, Adv.  
Ms. Shruti Aggarwal, Adv.  
Ms. Shaswati Parhi, Adv.  
Mr. Gopal Singh, AOR

Mr. Anurag Ojha , AOR  
Mr. D N Chaturvedi, Adv.  
Mr. Vipul Kumar, Adv.  
Mr. Aayushman Bhatt, Adv.  
Ms. Chanchal Gupta, Adv.  
Mr. Deepak Somani, Adv.

Mr. Siddharth Batra, AOR  
Ms. Shivani Chawla, Adv.  
Mr. Chinmay Dubey, Adv.  
Mr. Rhythm Katyal, Adv.  
Ms. Archana Yadav, Adv.  
Mr. Ayushmaan Bhutani, Adv.

Mr. Rishi Kapoor, Adv.  
Ms. Deboleena Dutta, Adv.  
Ms. Maitri Goel, Adv.  
Mr. Ashish Kumar Upadhyay, Adv.  
Mr. Akshat Srivastava, AOR

Mr. Siddharth Nath, Adv.  
Mr. Prateek K Chadha, AOR  
Mr. Anunay Chowdhary, Adv.  
Mr. Asjad Hussain, Adv.  
Mr. Sreekar Aechuri, Adv.

Ms. Purti Gupta, AOR  
Mr. Sanyat Lodha, AOR

Mr. C.S. Vaidyanathan, Sr. Adv.  
Mr. Sanjay Jain, Sr. Adv.  
Mr. Harshit Sethi, Adv.  
Mr. Tanmay Mehta, Adv.  
Mr. Jai Shankar Sikand, Adv.  
Mr. Kartik Yadav, Adv.  
Mr. Shubham Seth, Adv.  
Mr. Nikilesh Ramachandran, AOR

M/S. Unuc Legal Llp, AOR

UPON hearing the counsel the Court made the following  
O R D E R

CIVIL APPEAL NO(S). 6792-6796/2023, C.A. NO. 6797-6801/2023  
& C.A. NO. 6802-6806/2023

---

1. These appeals are admitted.
2. Until further orders, there shall be stay of the impugned order dated 28.08.2023 passed by the National Company Law Appellate Tribunal (NCLAT), Principal Bench.
3. It is clarified that the stay would not mean the stay of proceedings before the National Company Law Tribunal (NCLT) and the same would proceed in accordance with law.
4. Some of the parties have raised serious grievance with regard to the conduct of the Interim Resolution Professional (for short, 'IRP'). Shri Nalin Kohli, learned senior counsel appearing for the IRP disputes the said allegations.
5. We do not find it necessary to go into the said allegations. The parties which has/have grievance with regard to the conduct of the IRP would be entitled to move an application before the NCLT, and the same would be decided by the NCLT as expeditiously as possible and in any case within a period of four weeks upon filing of such an application.
6. Till the orders are passed by the NCLT, the order of status quo passed by this Court on 13.10.2023 shall continue to operate.
7. We clarify that we have not considered the merits of the allegations and rebuttal thereof and the NCLT would take decisions on the basis of the material placed before it.

C.A. NOS..... @ DIARY NO(S). 40077/2023

1. Delay condoned.
2. The appeals are disposed of, in terms of the signed order.

CONMT.PET.(C) NO. 13-17/2024 IN C.A. NO. 6792-6796/2023,  
CONMT.PET.(C) No. 586-590/2024 in C.A. No. 6792-6796/2023  
& CONMT.PET.(C) No ....@ DIARY NO(S). 23327/2024

---

The contempt petitions are disposed of, in terms of the signed order.

(NARENDRA PRASAD)  
DEPUTY REGISTRAR

(ANJU KAPOOR)  
COURT MASTER

(Common signed order, as above, is placed on the file)