PROPOSED ADVOCATE'S CHECK LIST (TO BE CERTIFIED BY ADVOCATE-ON-RECORD)

1.	SLP (C) has been filed in Form No. 28 with certificate.	**Yes**
2.	The Petition is as per the provisions of Order XV Rule 1.	**Yes**
3.	The papers of SLP have been arranged as per Order XXI, Rule (3)(1)(f).	**Yes**
4.	Brief list of dates/events has been filed.	**Yes**
5.	Paragraphs and pages of paper books have been numbered consecutively and correctly noted in Index.	**Yes**
6.	Proper and required number of paper books (1+1) have been filed.	**Yes**
7.	The particulars of the impugned judgment passed by the court(s) below are uniformly written in all the documents.	**Yes**
8.	In case of appeal by certificate the appeal is accompanied by judgment and decree appealed from and order granting certificate.	**NA**
9.	The Annexures referred to in the petition are true copies of the documents before the court (s) below and are filed in chronological order as per list of dates.	**Yes**
10.	The annexures referred to in the petition are filed and indexed separately and not marked collectively.	**Yes**
11.	In SLP against the order passed in Second Appeal, copies of the orders passed by the Trial Court and First Appellate Court have been filed.	**Yes**
12.	The complete listing proforma has been filled in, signed and included in the paper books.	**Yes**
13.	In a petition (PIL) filed under clause (d) of Rule 12(1) Order XXXVIII, the petition has disclosed: (a) His full name, complete postal address, e-mail address, phone number, proof regarding personal	**No**

	identification, occupation and annual income, PAN number and National Unique Identity Card Number, if any: (b) The facts constituting the cause of action; (c) The nature of injury caused or likely to be caused to be public; (d) The nature and extent of personal interest, if any, of the petitioner(s); (e) Details regarding any civil, criminal or revenue litigation involving the petitioner or any of the petitioners, which has or could have a legal nexus with the issue(s) involved in the Public Interest Litigation.	
14.	In case of appeals under Armed Forces Tribunal Act, 2007, the petitioner/appellant has moved before the Armed Forces Tribunal for granting certificate for leave to appeal to the Supreme Court.	**No**
15.	All the paper books to be filed after curing the defects shall be in order.	**Yes**

I hereby declare that I have personally verified the petition and its contents and it is on conformity with the Supreme Court Rules, 2013. I certify that the above requirements of the Check list have been complied with. I further certify that all the documents necessary for the purpose of hearing of the matter have been filed.

M/s Brajesh Pandey & Associates
Advocate for the Petitioner:
AOR Code No.: 3865

Dated: 13.08.2025

DIARY NO. 45468/2025

DECLARATION

All defects have been duly cured. Whatever has been added/deleted/modified in the petition is result of curing of defects and nothing else. Except curing the defects, nothing has been done. Paper book are complete in all respect.



Signature

M/s Brajesh Pandey & Associates
Advocate on Record
CC 3865
Mobile No. 9560956524

Date : 07.09.2025

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2.	Listing Proforma	A1-A2	A1-A2	
3.	Cover Page of Paper Book		A-3	
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5.	Limitation Report prepared by the Registry		A-5	
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7.	Note Sheet		NS1 To...	
8.	Synopsis & List of Dates	B- N		
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12.	**ANNEXURE P-2:** Copy of the order dated 12.02.2019 passed by the Hon'ble Appellate Tribunal	**56-57**		
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19.	**I.A. NO. OF 2025** Application seeking condonation of delay in filing the Special Leave Petition.	**216-220**		
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A

IN THE SUPREME COURT OF INDIA

(Order XXI Rule 3 (1) (a))

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION

(Under Article 136 of the Constitution of India)

SPECIAL LEAVE PETITION (CIVIL) NO. OF 2025

IN THE MATTER OF:

DEVENDRA SINGH …PETITIONER

VERSUS

AJOY DAS & ORS. …RESPONDENTS

OFFICE REPORT ON LIMITATION

1. The above Special Leave Petition is/are within time.

2. The petition is barred by time and there is a delay of **581** days in filing the same against the order **12.10.2023** and petition for condonation of **581** days has been filed.

3. There is a delay of _____ days in refilling the petition and petition for condonation of _____days in refilling has been filed.

Branch Officer

Date : 13.08.2025

A1

PROFORMA FOR FIRST LISTING

SECTION:

The Case Pertains to (Please Tick/Check the Correct Box):

- ☐ Central Act : (Title) : Constitution of India
- ☐ Section : 136
- ☐ Central Rule : N.A.
- ☐ Rule No(s) :N.A.
- ☐ State Act : (Title) : N.A.
- ☐ Section :N.A.
- ☐ State Rule: (Title)N.A.
- ☐ Rule No(s) :N.A.
- ☐ Impugned interim order date : 12.10.2023
- ☐ Impugned final order (Date) : N.A.
- ☐ High Court : (Name) : HON'BLE HIGH COURT OF CALCUTTA
- ☐ Tribunal / Authority : N.A.
- ☐ Judges (Name) : HON'BLE MR. JUSTICE RAJESH BINDAL AND HON'BLE MR. JUSTICE RAJARSHI BHARADWAJ

---

1. Nature of matter : Civil
2. (a) Petitioner : **Devendra Singh**

   (b)e-mail ID :N.A.
   (c) Mobile Phone Number :N.A.
3. (a) Respondent : **Ajoy Das & Ors**.
   (b)e-mail ID :N.A.
   (c) Mobile Phone Number :N.A.
4. (a) Main category classification : 18 : Ordinary Civil Matters

   (b) Sub classification : 1807 Other
5. Not to be listed before : N.A.
6. (a) Similar disposed of matter with citation, if any, & case details : **No Similar case/ matter disposed off**
   (b) Similar pending matter with case details : **No Similar matter is pending**

7. Criminal Matter : NO
   (a)Whether accused/convict has surrendered : N/A
   (b) FIR No. ____N/A____Date : N/A
   (c) Police Station: N/A
   (d) Sentence Awarded : N/A
   (e) Period of sentence undergone including period of detention/Custody Undergone : N/A
   (f) Whether any earlier case between the same parties is filed : N/A
   (g) Particulars of the FIR and Case : N/A
   (h) Whether any bail application was preferred earlier and decision thereupon : N/A

8. Land Acquisition Matter : NO
   (a)Date of Section 4 notification : N.A.
   (b) Date of Section 6 notification : N.A.
   (c) Date of Section 17 notification :N.A.

9. Tax matter : State the tax effect : N.A.

10. Special Category (first petitioner/appellant only) :N.A.
    □ Senior citizen › 65 year □ SC/ST □ Woman/Child □ Disabled □ Legal Aid □ case in custody

11. Vehicle Number (in case of Motor Accident Claim Matter) : NA

12. Whether there was / is litigation on the same point of law, if yes, details thereof : NO

(**M/S BRAJESH PANDEY & ASSOCIATE**)
ADVOCATE FOR PETITIONER
AOR Code: 3865
Mobile No. 9560956524

Date :13.08.2025

IN THE SUPREME COURT OF INDIA
(Order XXI Rule 3 (1) (a))
CIVIL APPELLATE JURISDICTION
SPECIAL LEAVE PETITION
(Under Article 136 of the Constitution of India)

SPECIAL LEAVE PETITION (CIVIL) NO. OF 2025

(Arising out of the impugned Against the Impugned interim Order dated 12.10.2023 passed by the Hon'ble Division Bench of High Court of Calcutta in WPA No.1389 of 2017)

WITH PRAYER OF INTERIM RELIEF

IN THE MATTER OF:

DEVENDRA SINGH …PETITIONER

VERSUS

AJOY DAS & ORS. …RESPONDENTS

PAPER BOOK
(KINDLY SEE INSIDE)

WITH
I.A. NO. OF 2025:
Application seeking exemption from filing certified copy of Impugned Order

WITH
I.A. NO. OF 2025:
Application seeking condonation of delay in filing of the Special Leave Petition

WITH
I.A. NO. OF 2025:
Application for permission to file the present Special Leave Petition

ADVOCATE FOR PETITIONER: M/S BRAJESH PANDEY & ASSOCIATES

RECORD OF PROCEEDING

S.No	DATE OF RECORD OF PROCEEDINGS	PAGE
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B

SYNOPSIS

The instant Special Leave Petition (hereinafter called "**SLP**") is being filed by the Petitioner i.e., Devendra Singh the Resolution Professional of the Alchemist Township India Ltd. (hereinafter referred to as "**the Corporate Debtor**"), a Company under Corporate Insolvency Resolution process (hereinafter referred to as "**CIRP**") against the interim order dated 12.10.2023 passed by the Hon'ble Division Bench of the High Court of Calcutta at in WPA No.1389 of 2017 (hereinafter referred to as "**Impugned Order**"), wherein the Hon'ble High Court has taken the Affidavit on record filed by Respondent No. 27 (Appellant herein) however while passing the Impugned order Hon'ble Calcutta High Court has failed to take into consideration that the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as "**Code**") is a complete code in itself, having sufficient checks and balances, remedial avenues and appeal. Even before the same Hon'ble division bench vide order dated 16.09.2021 has passed the stay order and the said order has neither been interfered nor been modified for the CIRP to continue and for passing of the resolution plan by the adjudicating Authority.

C

It is submitted that this Hon'ble Court in the case of "***Mohammed Enterprises (Tanzania) Ltd. Versus Farooq Ali Khan & Ors (2025 SCC OnLine SC 23"*** has limited/restricted the scope of High Courts to exercise writ

jurisdiction in light of the fact that IBC is a complete code and noting that unwarranted judicial interference disrupts the IBC's framework. It is incumbent to mention herein that the Impugned Order is acting as an embargo for the creditors of the Corporate Debtor to recover the money/due from the Corporate Debtor, in light of the Impugned Order the Ld. Adjudicating Authority is restrained to pass any final order in the CIRP of the Corporate Debtor bearing CP IB No. 1082 of 2018 qua the resolution plan which will cater the interest of all the stakeholders and the entire process has been standstill for several months.

It is most respectfully submitted that when the impugned order was passed, the CIRP of the Corporate Debtor was at the stage within CIRP was going on stage. Thereafter, the CIRP progressed wherein more than 10 lakh depositors filed their claim in the process which were verified and admitted by the Petitioner. In view of the same form G was published inviting Expression of Interest for Resolution Plans from Prospective Resolution Applicant. Upon the receipt of the

Resolution Plans, the Committee of Creditors approved one Resolution Plan which is now pending adjudication before Ld. Adjudicating Authority.

It is most respectfully submitted that the Ld. Adjudicating Authority in view of the impugned order dated 16.09.2021 is adjourning the hearing on Resolution Plan. The Petitioner herein has time and again approached the Hon'ble High Court to seek modification of the impugned order enabling the Petitioner to complete the CIRP. In this regard the Petitioner filed an Application seeking clarification/modification of impugned order which is still pending and has not been adjudicated. Further, Petitioner has also filed status report and affidavit putting on record the current status of the CIRP to pursue the cause of the stakeholders before the Hon'ble High Court. Further, in order to expedite the process, the ongoing Writ Petition was also mentioned before the Hon'ble High Court seeking early/priority hearing, however vide the impugned order, the Writ Petition is still pending wherein the fate of 10 Lakh depositors are hanging in dilemma and no final decision has been taken in the matter.

It is submitted that the Impugned Order is in teeth of well-established law that the Code was framed as a complete code to consolidate and amend the laws pertaining to the insolvency

resolution of corporate entities, partnership firms and individuals in a time bound manner, for maximisation of the value of the assets of such person and balance the interest of all the stakeholders. It is submitted that the process under the Code is a time bound process wherein the legislature and the regulator have set out specific timelines within which the process should be completed, however, the Hon'ble High Court passed the Impugned Order observing that no final order shall be passed by the Ld. Adjudicating Authority during the pendency of the writ petition before the Hon'ble High Court, which is acting as an interdiction to the CIRP of the Corporate Debtor and culminating CIRP in consonance with the objective of the Code i.e., maximisation of the value of the assets and balance of interest of all stakeholders.

It is pertinent to mention that Section 238 of the Code gives an overriding effect to the Code over all other laws. That the provisions of the Code vest exclusive jurisdiction on the Ld. Adjudicating Authority and Hon'ble National Company Law Appellate Tribunal (hereinafter referred to as "**Hon'ble Appellate Tribunal**") to deal with all issues pertaining to the insolvency process of the Corporate Debtor and the mode and manner of the disposal of the asset. Hence, in light of the Section 238 of the Code the Writ Petition bearing WPA

1389 of 2017 pending before the Hon'ble High Court should also be kept in abeyance till the culmination of the resolution process.

That the Hon'ble High Court in view of the various provisions of the Code, ought not to have passed an order restraining the Ld. Adjudicating Authority from passing an order once the proceedings under the Code have commenced and an order declaring moratorium was passed by the Ld. Adjudicating Authority vide order dated 25.01.2019 in the matter of "Kiran Malhotra v. Alchemist Township India Ltd." bearing No. (IB)-1082 (PB)/2018.

It is further submitted that during the 20th CoC meeting, the Petitioner received a Resolution Plan from one of the Prospective Resolution Applicant i.e., Vantage Point Asset Management Pvt. Ltd. (hereinafter referred to as "**PRA**") It is incumbent to mention herein that the Resolution Plan submitted by the PRA was fully compliant in terms of Section 30(3) of the Code, read with relevant CIRP Regulations and was placed before the Committee of Creditors (hereinafter referred to as "**CoC**") in the 20th CoC meeting dated 09.10.2023 alongwith the compliances status report. The CoC in the 20th CoC meeting with 100% voting share approved the same.

It is respectfully submitted that upon the approval of the Resolution Plan, more than 10 lakh small depositors/investors will be

benefited. It is pertinent to say that once the Ld. Adjudicating Authority is allowed to consider the Resolution Plan approved by the CoC, all the stakeholders who have been waiting for their money for 8 long years will be benefited. However, the Impugned Order passed by the Hon'ble High Court is acting as an embargo for the approval of the plan by the Ld. Adjudicating Authority and thereby allowing the Prospective Resolution Applicant to disburse the money to the creditors in terms of the Resolution Plan.

That the approval of Resolution Plan by the CoC which consists of more than 8.87 lakh depositors who are on favour of the Insolvency Process and participated in the same. However, the Impugned Order passed by the Hon'ble High Court neither decided the petition nor have vacated the stay order there by putting an embargo for the approval of the plan by the Ld. Adjudicating Authority and successful culmination of CIRP. It is noteworthy that IBC is a time bound process and deviation from the strict timelines will not only deteriorate the assets of the Corporate Debtor but will also prejudice the interest of stakeholder as the Prospective Resolutions Applicant will start withdrawing from the process due to such inordinate delay. Even thereafter, also the petitioner have taken steps by filing appropriate affidavit and seeking vacation of the stay order. However, the same is

also not been heard and the matter is still pending under consideration before the hon'ble High Court.

Hence, the Petitioner herein is constrained to approach this Hon'ble Court through instant Petition.

LIST OF DATES & EVENTS

DATE	PARTICULARS
07.08.2018	An application was filed under Section 7 of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as "**the Code**") by Ms. Kiran Malhotra, the Financial Creditor to initiate Corporate Insolvency Resolution Process (hereinafter referred to as "**CIRP**") against the Alchemist Township India Ltd. (hereinafter referred to as "**Corporate Debtor**").
25.01.2019	The Ld. Adjudicating Authority vide order dated admitted the application bearing No. CP IB No. 1082 of 2018 for initiation of CIRP and appointed Mr. Pramod Goel was appointed as an Interim Resolution Professional (hereinafter referred to as "**IRP**"). The Copy of the said order dated 25.01.2019 in CP IB No. 1082 of 2018 is marked and annexed herewith as **ANNEXURE P-1 @ Pg. No. (37-56).**

I

Interregnum one shareholder of the Corporate Debtor filed an appeal before the Hon'ble National Company Law Appellate Tribunal, New Delhi (hereinafter referred to as "**Hon'ble Appellate Tribunal**") bearing CA (AT) (Insolvency) No. 113 of 2019 against the order dated 25.01.2019 passed by the Ld. Adjudicating Authority.

12.02.2019 The Hon'ble Appellate Tribunal vide order dated 12.02.2019 stayed the constitution of CoC. The copy of the order dated 12.02.2019 passed by the Hon'ble Appellate Tribunal is marked and annexed herewith as **ANNEXURE P-2 @ Pg. No.** 56-57

02.02.2019 The IRP made the public announcement in Form A made with respect to commencement of CIRP of the Corporate Debtor.

01.03.2019 On 01.03.2019, the Hon'ble NCLAT, New Delhi set aside the order of Hon'ble NCLT New Delhi dated 25.01.2019.

That thereafter an application-bearing no. IA-4063 (PB)/2020 was filed by the financial creditor for the revival of CP(IB) 1082(PB)/2018 as the settlement had failed.

01.10.2020	The Ld. Adjudicating Authority vide order dated 01.10.2020 allowed revival of original application and directed the Interim Resolution Professional to resume duties.
09.10.2020	The IRP made public announcement regarding revival of CIRP and published the same in Financial Express & Jansatta (Delhi NCR editions).
12.10.2020	Further, the IRP made the public announcement regarding revival made in Chandigarh Editions and Daily Chardikala (Patiala edition).
15.10.2020	The IRP constituted the CoC and filed report under Regulation 13 & 17 of IBBI Regulations, 2016.
23.10.2020	On 23.10.2020, the first CoC meeting held and passed the resolution to appoint Mr. Devendra Singh, the Petitioner as Resolution Professional of the Corporate Debtor (hereinafter referred to "**The Petitioner/Resolution Professional**"). That the Petitioner herein received the claims from a number of persons who claimed to have deposited money with the Corporate Debtor.
24.11.2020	The Ld. Adjudicating Authority vide order dated 24.11.2020 confirmed the appointment of the

	Petitioner as a Resolution Professional of the Corporate Debtor. The Copy of the order dated 24.11.2020 passed by Ld. Adjudicating Authority is marked and annexed herewith as **ANNEXURE P-3 @ Pg. No. 58.**
10.12.2020	The Petitioner herein subsequent to the appointment as the Resolution Professional published general public announcement regarding revival of CIRP.
16.09.2021	The Hon'ble High Court of Calcutta (hereinafter referred to as "**Hon'ble High Court**") in WPA 1389 of 2017 vide order dated 16.09.2021 (hereinafter referred to as "**Impugned Order**") restrained the Ld. Adjudicating Authority from passing final order during pendency of writ petition. The copy of the order dated 16.09.2021 passed by the Honourable High Court is marked and annexed here with as **Annexure P4** at **Pg. No. (59-73).**
03.03.2022	Subsequently, the Petitioner herein filed an application before the Hon'ble High Court bearing CAN No. 688/2022 seeking modification/clarification of the Impugned Order which is pending adjudication,

as the Petitioner being an officer of the court had the duty to keep the Corporate Debtor a going concern and hence sought clarification/modification of the Impugned Order.

The copy of the modification/clarification application preferred by the Petitioner before the Hon'ble High Court is marked and annexed herewith as **ANNEXURE P5@ Pg. No. (74-109).**

09.10.2023 That during the 20th CoC meeting, the Petitioner received a Resolution Plan from one of the Prospective Resolution Applicant i.e., Vantage Point Asset Management P. Ltd. The said Resolution Plan was placed before the CoC for approval, wherein the CoC with 100% voting share approved the same. A copy of minutes of 20th CoC meeting is annexed herewith and marked as **ANNEXURE P-6@ Pg. No. (110-203).**

12.10.2023 The Hon'ble High Court of Calcutta (hereinafter referred to as "**Hon'ble High Court**") in WPA 1389 of 2017 vide order dated 12.10.2023 (hereinafter referred to as "**Impugned Order**") has taken on record the affidavit filed by Respondent No-

	27 (“Appellant herein”), however while passing the Impugned order Hon’ble National Company Law Tribunal (hereinafter referred to as “Ld. Adjudicating Authority”)has failed to take into consideration that the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as “**Code**”) is a complete code in itself, having sufficient checks and balances, remedial avenues and appeal.
03.01.2024	Subsequently, in light of the fact that the CoC has duly approved the Resolution Plan of the Vantage Point Asset Management Pte., the RP of the Corporate Debtor preferred an application before the Ld. Adjudicating Authority seeking approval of the said plan, which is still pending for the adjudication.
2024-2025	Petitioner through his counsel mentioned the Writ Petition for priority hearing.
2025	Petitioner file updated affidavit apprising the Hon’ble Court about the status of the CIRP and in order to pursue the cause of stakeholders for early hearing of the matter. A copy of Affidavit dated 26.06.2025 filed by the Petitioner before the Hon’ble Calcutta High

N

Court alongwith Cause list of Hon'ble Calcutta High Court is annexed herewith and marked as **Annexure P-7 at Pg. No. (204-212).**

13.08.2025 Hence, the instant Petition.

12.10.2023

Interim Impugned order

63 to 65.

as/sdas

Hon'ble High Court of Calcutta

Ct. No. 28

WPA 1389 OF 2017

Ajoy Kumar Das and Ors.

Versus

Union of India and Ors.

With

CAN 681 of 2021

With

CAN 682 of 2021

With

CAN 683 of 2021

With

CAN 685 of 2022

With

CAN 686 of 2022

With

CAN 687 of 2022

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CAN 688 of 2022

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CAN 708 of 2022

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CAN 709 of 2022

With

CAN 710 of 2022

With

CAN 711 of 2022

With

CAN 712 of 2022

With

WPA 7653 of 2022

Bikash Kumar Dey & Ors.

Versus

Union of India & Ors.

With

WPA 26915 of 2017

Alchemist Investors and Broker Welfare Association and Ors.

Versus

Union of India and Ors.

(Ponzi Matter)

Mr. Subhasis Chakraborty

Mr. Arindam Das,

Ms. Sushmita Kumari Singh

…. For the Petitioners

Mr. Amitesh Banerjee,

Ms. Munmun Tiwari

…For the State in WPA 1389 of 2017

Mr. Amitesh Banerjee,

Mr. Biswabrata Basu Mallick,

Mr. Sayan Datta.

….. For the State

Mr. Prasanta Kr. Dutt,

Mr. Susanta Kr. Dutt,

Mr. Syamantak Banerjee

… For the SEBI

Mr. Neguive Ahmed

…. For the One Man Committee

Mr. Siddhartha Mitra, Ld. Sr. Adv.

Mr. Atish Ghosh,

Ms. Anatara Dey.

… For the Respondent No. 18.

Mr. Subit Majumdar

….. For the UOI in WPA 7653/2023

Mr. Jishnu Saha, Ld. Sr. Adv.,

Mr. Sankarsan Sarkar,

Mr. Dilip Kr. Ghosh

… For the Respondent No. 27.

1. Affidavit filed by respondent No. 27 be kept on record.

2. Let this matter appear on 7th December, 2023.

(Gaurang Kanth, J.) (Joymalya Bagchi, J.)



IN THE SUPREME COURT OF INDIA

(Order XXI Rule 3 (1) (a))

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION

(Under Article 136 of the Constitution of India)

SPECIAL LEAVE PETITION (CIVIL) No. OF 2025

(Arising out of the impugned interim Order dated 12.10.2023 passed by the Hon'ble Division Bench of High Court of Calcutta in WPA No.1389 of 2017)

WITH PRAYER OF INTERIM RELIEF

BETWEEN:	POSITION OF PARTIES	
WPA No.1389 of 2017	Before the Hon'ble High Court	Before this Hon'ble Court
Devendra Singh Assotech Business Cresterra, Office No.216, 2nd Floor, Tower-1, Sector-135, Noida, Uttar Pradesh, 201305	Not party	Petitioner
Versus		
1. Ajoy Kumar Das, Son of Late Ajit Kumar Das, being the president of Association of Investors in Alchemist Group of Companies, residing at 1/18, Mahajati Nagar, Post Office Agarpara, Police	Petitioner No.1	Respondent No.1

	Station Khardah, District North 24 – Parganas, Pin – 700109		
2.	Bimal Ranjan Das, son of Late Sudhir Ranjan Das, residing at Aswini Dutta Road, Post Office Panihati, Police Station Khardah, District North 24 – Parganas, Pin – 700114	Petitioner No.2	Respondent No.2
3.	Association of Investors in Alchemist Group of Companies, Central Committee, having its office at 1/34, Mahajati Nagar (Madhyapally), P.O. Agarpara, P.S. Kharadah, Kolkata – 700109 represented by its president Mr. Joy Kumar Das	Petitioner No.3	Respondent No.3
4.	Union of India through the Secretary Government of India, Ministry of Finance North Block, New Delhi – 110001 service through the Senior Central Government Advocate, Calcutta Branch Secretariat Ministry of Law and Justice, 11, Strand Road Kolkata – 700001	Respondent No.1	Respondent No.4

5.	Union of India through the Secretary Govt. of India, Ministry of Corporate Affairs, "A" Wing Shastri Bhawan Rajendra Prasad Road New Delhi – 110001 service through the Regional Director, Eastern Region Nizam Palace – II, MSO Building 3rd Floor 234/4, A.J.C. Bose Road Kolkata – 700020.	Respondent No.2	Respondent No.5
6.	The Securities and Exchanges Board of India Plot No. C4-A, "G" Block Bandra Kurla Complex Bandra (East) Mumbai – 400051 service through the Regional Manager L&T Chambers 3rd Floor – 16 Camac Street Kolkata – 700017	Respondent No.3	Respondent No.6
7.	The State of West Bengal service through The Chief Secretary, Government of West Bengal Nabanna, 325 Sarat Chatterjee Road Howrah – 711102.	Respondent No.4	Respondent No.7
8.	The Principal Secretary Ministry of Finance, Government of West	Respondent No.5	Respondent No.8

	Bengal Nabanna 325 Sarat Chatterjee Road Howrah – 711102		
9.	The Additional Secretary Finance Department & Inspector General of Registration and Commissioner of Stamp Revenue West Bengal Writers Building F Block Top Floor Kolkata – 700001	Respondent No.6	Respondent No.9
10.	The Regional Special Director Enforcement Directorate Eastern Region, Kolkata CGO Complex, 3rd M.S.O Building, 6th Floor, C & D Wing, DF Block, Salt Lake, Sector – I, Kolkata – 700064.	Respondent No.7	Respondent No.10
11.	The Director General of Police, West Bengal, Bhabani Bhavan, Alipore, Kolkata – 7000276.	Respondent No.8	Respondent No.11
12.	The Inspector General of CID, West Bengal, Bhabani Bhavan, Alipore, Kolkata – 700027	Respondent No.9	Respondent No.12
13.	The Police Commissioner Kolkata Police Kolkata Police Head Quarters, 18, Lalbazar Street,	Respondent No.10	Respondent No.13

	Kolkata – 700001 West Bengal, India		
14.	The Superintendent of Police (CBI Kolkata Zone & Special Investigation Team), MSO Building 2nd Floor, A Wing, DF Block, Salt Lake, Kolkata – 700064	Respondent No.11	Respondent No.14
15.	The Officer in Charge, Special Investigation Team, Detective Department, DD Building, 3rd Floor, 18, Lalbazar Street, Kolkata – 700001	Respondent No.12	Respondent No.15
16.	The Officer in Charge, Kharadh Police Station, Kharadh, District North 24 – Parganas, PIN-700116	Respondent No.13	Respondent No.16
17.	The Officer in Charge, Belgharaia Police Station, Belgharia, District North 24 – Parganas, Pin – 700056	Respondent No.14	Respondent No.17
18.	Alchemist Holding Ltd., Through its Chairman, having its office at 405, Jyotisikhar Tower, Janakpuri, District Centre, New Delhi – 110058	Respondent No.15	Respondent No.18

19.	Alchemist Capital Ltd., Through its Chairman, having office at SCO 12-13, Sector 9D, Madhyamarg, Chandigarh – 160017	Respondent No.16	Respondent No.19
20.	Toubro Holdings Ltd., Through its Director, having its office at SCO 12-13, Sector – 9D, Madhyamarg, Chandigarh – 160017	Respondent No.17	Respondent No.20
21.	Alchemist Infra Realty Limited, Through its Chairman, having its office at 723, DLF Tower – A, Jasola, District Centre, New Delhi – 110044 and also at Unit No. GF – 18 Ground Floor, Omax Square, Jasola, District Centre, New Delhi – 110025	Respondent No.18	Respondent No.21
22.	Toubro Infotech & Industries & Industries Ltd. Through its Chairman, having its office at SCO 12-13, Sector 9D, Madhyamarg, Chandigarh – 160017	Respondent No.19	Respondent No.22
23.	Toubro Industries Ltd, Through its Directors, having its office at having its office at SCO 12-13,	Respondent No.20	Respondent No.23

	Sector 9D, Madhyamarg, Chandigarh – 160017		
24.	Alchemist Limited, Through its Chairman, SCO 12-13, Sector 9D, Madhyamarg, Chandigarh – 160017	Respondent No.21	Respondent No.24
25.	Infotech Division, Through its Chairman of Alchemist Limited, SCO 12-13, Sector 9D, Madhyamarg, Chandigarh – 160017	Respondent No.22	Respondent No.25
26.	Food Processing Division, Through its Chairman of Alchemist Limited, SCO 12-13, Sector 9D, Madhyamarg, Chandigarh – 160017	Respondent No.23	Respondent No.26
27.	Flower Division, Through its Chairman of Alchemist Limited, SCO 12-13, Sector 9D, Madhyamarg, Chandigarh – 160017	Respondent No.24	Respondent No.27
28.	Steel Division, Through its Chairman of Alchemist Limited, SCO 12-13, Sector 9D,	Respondent No.25	Respondent No.28

	Madhyamarg, Chandigarh – 160017		
29.	Biotech Division, Through its Chairman of Alchemist Limited, having its office at SCO 12-13, Sector 9D, Madhyamarg, Chandigarh – 160017	Respondent No.26	Respondent No.29
30.	Mr. Karanwar Deep Singh, Chairman Alchemist Group of Companies, permanently residing at House No. 159, Sector – 9B, Chandigarh presently residing at 100, South Avenue, New Delhi – 110001	Respondent No.28	Respondent No.30
31.	Mr. Karan Deep Singh, Chairman, Alchemist Group of Companies, residing at House No. 159, Sector – 9B, Chandigarh	Respondent No.29	Respondent No.31
32.	Mr. Pavan Kumar Verma, Director, having his office at H.O. SCO 12-13, Sector 9D, Madhyamarg Chandigarh – 160017	Respondent No.30	Respondent No.32
33.	Ms. Maria Fernandes, Director, having his office at H.O. SCO 12-13, Sector 9D, Madhyamarg Chandigarh – 160017	Respondent No.31	Respondent No.33
34.	Mr. Bikram Bhattacharya, Director, having his office at H.O. SCO 12-13, Sector 9D,	Respondent No.32	Respondent No.34

	Madhyamarg Chandigarh – 160017		
35.	Mr. Vinoy Kumar Mittal, Director, having his office at H.O. SCO 12-13, Sector 9D, Madhyamarg Chandigarh – 160017	Respondent No.33	Respondent No.35
36.	Mr. Vimal Kumar Sharma, Director, having his office at H.O. SCO 12-13, Sector 9D, Madhyamarg Chandigarh – 160017	Respondent No.34	Respondent No.36
37.	Mr. Tanveer Gill, having their office at having his office at H.O. SCO 12-13, Sector 9D, Madhyamarg Chandigarh – 160017	Respondent No.35	Respondent No.37
38.	Mr. Mansoor Ahmed, Director, having their office at H.M. Building, 4th Floor, 15, Ganesh Chandra Avenue, Kolkata – 700013	Respondent No.36	Respondent No.38
39.	Mr. Hariharan Neeraraghavan, Director, having their office at H.M. Building, 4th Floor, 15,	Respondent No.37	Respondent No.39

	Ganesh Chandra Avenue, Kolkata – 700013		
40.	Mr. Subramanian Ayyaapakutti Nambi, Director, having their office at H.M. Building, 4th Floor, 15, Ganesh Chandra Avenue, Kolkata – 700013	Respondent No.38	Respondent No.40
41.	Ms. Sangita Devi, Director, having their office at H.M. Building, 4th Floor, 15, Ganesh Chandra Avenue, Kolkata – 700013	Respondent No.39	Respondent No.41
42.	Mr. Balbir Singh, Director, having their office at H.M. Building, 4th Floor, 15, Ganesh Chandra Avenue, Kolkata – 700013	Respondent No.40	Respondent No.42
43.	Mr. Vikramaditya Singh, Director, having their office at SCO, 232-233, 3rd Floor, Sector 344, Chandigarh – 160022 and Corporate office at 411-412, Ansal Tower – 38, Nehru Place, New Delhi – 110019	Respondent No.41	Respondent No.43
44.	Mr. Chandra Shekhar Chauhan, Director, having their office at SCO, 232-233, 3rd Floor, Sector	Respondent No.42	Respondent No.44

	344, Chandigarh – 160022 and Corporate office at 411-412, Ansal Tower – 38, Nehru Place, New Delhi – 110019		
45.	Mr. Krishna Kumar Singh, Director, having their office at SCO, 232-233, 3rd Floor, Sector 344, Chandigarh – 160022 and Corporate office at 411-412, Ansal Tower – 38, Nehru Place, New Delhi – 110019	Respondent No.43	Respondent No.45
46.	Ms. Jaishree Noor, having their office at SCO, 232-233, 3rd Floor, Sector 344, Chandigarh – 160022 and Corporate office at 411-412, Ansal Tower – 38, Nehru Place, New Delhi – 110019	Respondent No.44	Respondent No.46
47.	Mr. Brijmohan Mahajan, Director, residing at House No. 194, Sector 18A, Chandigarh – 160018	Respondent No.45	Respondent No.47
48.	Mr. Sunil Kanti Kar, Director residing at 14, Southend Park Lane, Kolkata – 700029	Respondent No.46	Respondent No.48

49.	Mr. Narayan Madhav Kumar, Director, House No. 2047, Sector 44C, Chandigarh – 160044	Respondent No.47	Respondent No.49
50.	Mr. Chhatrasalsingh Narendra Singh Ranawat, Director, having their office at 723, DLF Tower A, Jasola, District Centre, New Delhi – 110044 and also at Unit No. GF-18, Ground Floor, Omax Square, Jasola, District Centre, New Delhi – 110025	Respondent No.48	Respondent No.50
51.	Mr. Nand Kishore Singh, Director, having their office at 723, DLF Tower A, Jasola, District Centre, New Delhi – 110044 and also at Unit No. GF-18, Ground Floor, Omax Square, Jasola, District Centre, New Delhi – 110025	Respondent No.49	Respondent No.51
52.	Mr. Krishna Kabir, Director, having their office at 723, DLF Tower A, Jasola, District Centre, New Delhi – 110044 and also at Unit No. GF-18, Ground Floor, Omax Square, Jasola, District Centre, New Delhi – 110025	Respondent No.50	Respondent No.52

53.	Mr. Surendra Singh Malik, Director, having their office at 723, DLF Tower A, Jasola, District Centre, New Delhi – 110044 and also at Unit No. GF-18, Ground Floor, Omax Square, Jasola, District Centre, New Delhi – 110025	Respondent No.51	Respondent No.53
54.	Mr. Sushil Kumar, Director, Nos. 48 to 52 having their office at 723, DLF Tower A, Jasola, District Centre, New Delhi – 110044 and also at Unit No. GF-18, Ground Floor, Omax Square, Jasola, District Centre, New Delhi – 110025	Respondent No.52	Respondent No.54
55.	Mr. Satender Singh Jarri, Director, having their office at H.M. Building, 4th Floor, 15, Ganesh Chandra Avenue, Kolkata – 700013	Respondent No.53	Respondent No.55
56.	Mr. Ajay Kumar, Director, having their office at H.M. Building, 4th Floor, 15, Ganesh Chandra Avenue, Kolkata – 700013	Respondent No.54	Respondent No.56

57.	Mr. Vijay Kumar, Director, having their office at H.M. Building, 4th Floor, 15, Ganesh Chandra Avenue, Kolkata – 700013	Respondent No.55	Respondent No.57
58.	Mr. Charan Deep Jolly, Director, having their office at H.M. Building, 4th Floor, 15, Ganesh Chandra Avenue, Kolkata – 700013	Respondent No.56	Respondent No.58
59.	Alchemist Township India Ltd; having its office at SCO, 232-233, 3rd Floor, Sector 344, Chandigarh 160022 and Corporate Office at 411-412, Ansal Tower – 38, Nehru Place, New Delhi – 110019	Respondent No.27	Performa Respondent No.59

To

HON'BLE THE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUDGES OF
THE HON'BLE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF PETITIONER ABOVE NAMED.

MOST RESPECTFULLY SHEWETH:

1. The instant Special Leave Petition (hereinafter called "**SLP**") is being filed by the Petitioner i.e., Devendra Singh the Resolution Professional of the Alchemist Township India Ltd. (hereinafter referred to as "**the Corporate Debtor**"), a Company under Corporate Insolvency Resolution process (hereinafter referred to as "**CIRP**") against the interim order dated 12.10.2023 passed by the Hon'ble Division Bench of the High Court of Calcutta at in WPA No.1389 of 2017 (hereinafter referred to as "**Impugned Order**"), wherein the Hon'ble High Court has taken on record the affidavit filed by respondent no-27 ("Petitioner herein") ,however while passing the Impugned order has failed to take into consideration that the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as "**Code**") is a complete code in itself, having sufficient checks and balances, remedial avenues and appeal. Even before the same hon'ble division bench vide order dated 16.09.2021 has passed the stay order and the said order has neither been interfered nor been modified for the

continuation of the CIRP and for passing the resolution plan by the "Ld Adjudicating Authority".

It is submitted that this Hon'ble Court in the case of "***Mohammed Enterprises (Tanzania) Ltd. Versus Farooq Ali Khan & Ors (2025 SCC OnLine SC 23"*** has limited/restricted the scope of High Courts to exercise writ jurisdiction in light of the fact that IBC is a complete code and noting that unwarranted judicial interference disrupts the IBC's framework. It is incumbent to mention herein that the Impugned Order is acting as an embargo for the creditors of the Corporate Debtor i.e., M/S. Alchemist Township India Ltd. (hereinafter referred to as **Corporate Debtor**"), to get back the monies, for which they have been waiting for 8 long years.

1A. In the instant case LPA does not lies before the High Court.

2. **<u>QUESTIONS OF LAW</u>**:

The following substantial questions of law arise for consideration by this Hon'ble Court:

i) Whether the Hon'ble High Court has passed the impugned judgment in teeth of the judgment of this Hon'ble Court in matter titled "*Mohammed Enterprises (Tanzania) Ltd.*

Versus Farooq Ali Khan & Ors (2025 SCC OnLine SC 23", wherein this Hon'ble Court has limited/restricted the scope of High Courts to exercise writ jurisdiction in light of the fact that IBC is a complete code?

ii) Whether the interim order passed by the Hon'ble High Court shall continue in light of the fact that the same is impeding the culmination of the resolution process of the Corporate Debtor?

iii) Whether in light of the Section 238 of the Code which gives an overriding effect to the Code over other laws, the Writ Petition bearing WPA 1389 of 2017 pending before the Hon'ble High Court should also be kept in abeyance till the culmination of the resolution process?

iv) Whether the Impugned Order passed by the Hon'ble High Court is in teeth with the objectives of the Code i.e., maximisation of the value of the assets of such person and balance the interest of all the stakeholders and that the CIRP is a time bound process?

v) Whether the Impugned Order is acting as an embargo for the approval of the plan by the Ld. Adjudicating Authority and thereby allowing the Prospective Resolution Applicant

to disburse the money to the creditors in terms of the Resolution Plan?

3. **DECLARATION IN TERMS OF RULE 3(2)**:

The petitioner states that no other petition seeking special leave to appeal has been filed by the petitioner against the impugned Against the Impugned interim Order dated 12.10.2023 passed by the Hon'ble Division Bench of High Court of Calcutta in WPA No.1389 of 2017.

4. **DECLARATION IN TERMS OF RULE 5**:

The annexure (P-1 to P-7) produced along with the Special Leave Petition are true copies of pleadings/ documents, which are part of the records of the case in the Court below, against whose order the leave to appeal is sought for in this petition.

5. **GROUNDS**:

Leave to appeal is sought for on the following grounds, which are taken without prejudice to one another:

A. **BECAUSE** the Impugned Order passed by the Hon'ble High Court which is acting as an embargo for the creditors of the Corporate Debtor to recover the money/due from the

Corporate Debtor, as in light of the Impugned Order Dated 12.10.2023 the Ld. Adjudicating Authority is not inclined to pass any final order in the CIRP of the Corporate Debtor bearing CP IB No. 1082 of 2018, despite the fact that the Committee of Creditors (hereinafter referred to as "**CoC**") have duly approved the Resolution Plan by one of the Prospective Resolution Applicant i.e., Vantage Point Asset Management Pvt. Ltd. in the 20th CoC meeting held on 09.10.2023.

B. **BECAUSE** the Impugned Order is in teeth of well-established law that the Code was framed as a complete code to consolidate and amend the laws pertaining to the insolvency resolution of corporate entities, partnership firms and individuals in a time bound manner, for maximisation of the value of the assets of such person and balance the interest of all the stakeholders. It is submitted that the process under the Code is a time bound process wherein the legislature and the regulator have set out specific timelines within which the process should be completed, however, the Hon'ble High Court passed the Impugned Order observing that no final order shall be passed by the Ld. Adjudicating Authority during the pendency of the writ petition before the

Hon'ble High Court, which is acting as an interdiction to the CIRP of the Corporate Debtor and culminating CIRP in consonance with the objective of the Code i.e., maximisation of the value of the assets and balance of interest of all stakeholders.

C. **BECAUSE** the Impugned Order passed by the Hon'ble High Court is in teeth of the judgment of this Hon'ble Court titled "***Mohammed Enterprises (Tanzania) Ltd. v. Farooq Ali Khan & Ors (2025 SCC OnLine SC 23***" wherein this Hon'ble Court has limited/restricted the scope of High Courts to exercise writ jurisdiction in light of the fact that IBC is a complete code and noting that unwarranted judicial interference disrupts the IBC's framework. It is incumbent to mention herein that due to the operation of the Impugned Order the creditors of the Corporate Debtor are not able to get back the monies, for which they have been waiting for 8 long years.

D. **BECAUSE** it is submitted that the Section 238 of the Code gives an overriding effect to the Code over all other laws. That the provisions of the Code vest exclusive jurisdiction on the Ld. Adjudicating Authority and Hon'ble National Company Law Appellate Tribunal (hereinafter referred to as

"**Hon'ble Appellate Tribunal**") to deal with all issues pertaining to the insolvency process of the Corporate Debtor and the mode and manner of the disposal of the asset. Hence, in light of the Section 238 of the Code the Writ Petition bearing WPA 1389 of 2017 pending before the Hon'ble High Court should also be kept in abeyance till the culmination of the resolution process.

E. **BECAUSE** during the 20th CoC meeting, a Resolution Plan from one of the Prospective Resolution Applicant i.e., Vantage Point Asset Management Pvt. Ltd was received, which was placed by the Petitioner before the CoC for the approval. It is incumbent to mention herein that in the 20th CoC meeting held on 09.10.2023, the CoC with 100% voting share approved the same. It is respectfully submitted that upon the approval of the Resolution Plan, more than 10 lakh small depositors/investors will be benefited. It is pertinent to say that once the Ld. Adjudicating Authority is allowed to consider the Resolution Plan approved by the CoC, all the stakeholders who have been waiting for their money for 8 long years will be benefited.

F. **BECAUSE** it is respectfully submitted that the approval of Resolution Plan by the CoC which consists of more than

8.87 lakh depositors who are on favour of the Insolvency Process and participated in the same. However, the Impugned Order passed by the Hon'ble High Court is acting as an embargo for the approval of the plan by the Ld. Adjudicating Authority and thereby allowing the Prospective Resolution Applicant to disburse the money to the creditors in terms of the Resolution Plan.

G. BECAUSE it is submitted that Petitioner herein being an officer of the court in order to seek some clarification/modification of the Impugned Order filed an application bearing CAN No. 688/2022 on 03.03.2022 seeking modification/clarification of the order dated 16.09.2021 passed by the Hon'ble High Court which is pending for adjudication. It is pertinent to point out that after filing of the said application by the Petitioner the Ld. Adjudicating Authority has been adjourning the case and the same is causing grave and severe prejudice to the Petitioner and similarly placed depositors who had filed their claims and are waiting for their refund, hence derailing the time bound process prescribed under the Code. Even thereafter the petitioner filed an affidavit for seeking vacation of the

stay order passed by Hon'ble High Court, it is still under adjudication before the hon'ble High Court

H. BECAUSE Section 231 of the Code bars the jurisdiction of the civil courts in respect of any matter in which the Ld. Adjudicating Authority or Hon'ble Appellate Tribunal is empowered by the Code to pass any order, which is also reaffirmed by this Hon'ble Court in ***Mohammed Enterprises (Tanzania) Ltd. (supra).*** The relevant extract of Section 231 of the Code is reproduced below for the convenience of this Hon'ble Court:

> *'231. Bar of jurisdiction —No civil court shall have jurisdiction in respect of any matter in which the adjudicating authority or the Board is empowered by, or under, this Code to pass any order and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any order passed by such adjudicating authority or the Board under this Code.*

I. **BECAUSE** the Hon'ble High Court in view of the various provisions of the Code, ought not to have passed an order restraining the Ld. Adjudicating Authority from passing an

order once the proceedings under the Code have commenced and an order declaring moratorium was passed by the Ld. Adjudicating Authority vide order dated 25.01.2019 in the matter of "Kiran Malhotra v. Alchemist Township India Ltd." bearing No. (IB)-1082 (PB)/2018.

J. **BECAUSE** the Hon'ble High Court vide order dated 21.12.2017 in WPA 1389 of 2017 appointed a One-man Committee i.e., Talukdar Committee whose role was to collect all the monies and pay the said money to its investors. It is relevant to mention that the Resolution Professional of the Corporate Debtor received claims from a number of persons who claimed to have deposited money with the company and constituted CoC which consists of more than 8.87 lakh depositors who are on favour of the Insolvency Process of the Corporate Debtor. It is submitted that upon the approval of the Resolution Plan by the Ld. Adjudicating Authority, more than 10 lakh small depositors/investors will be benefited. In light of the above, it is submitted that upon approval of the resolution plan, the objective for which the Talkudar was constituted has already been achieved by the RP of the Corporate Debtor, as after the approval of the Resolution Plan the depositors will be benefited.

6. **GROUNDS FOR INTERIM RELIEF**:

a. For that the Petitioner craves leave to refer and rely upon the grounds mentioned in the Special Leave Petition for the sake of brevity. If the impugned order is not set aside by this Hon'ble Court, the Petitioner will suffer grave injury and loss.

b. For that the Petitioner has *prima facie* good case and is likely to succeed before this Hon'ble Court. That if the interim prayer as is sought, if not granted, the Petitioner would suffer irreparable loss and injury in terms of business opportunities. In view of the above it is submitted that the balance of convenience is in favour of the Petitioner for grant of interim relief as is prayed hereinafter.

7. MAIN PRAYER:

It is therefore, most respectfully prayed that this Hon'ble Court may be pleased to:-

(a) Grant special leave to appeal against the impugned interim judgment and order dated 12.10.2023 passed by the Hon'ble Division Bench of the High Court of Calcutta at in WPA No.1389 of 2017;

-And-

(b) Pass such other or further order or orders as this Hon'ble Court may deem just and proper in the facts and circumstances of the case.

8. <u>PRAYER FOR INTERIM RELIEF</u>:

It is therefore most respectfully prayed before this Hon'ble Court that it may be pleased to:

(a) Grant ad-interim *ex-parte* stay of the operation of the impugned order dated 16.09.2021 and / or direct the proceedings before the Hon'ble a high Court in WPA No. 1389 of 2017 will not come in the way of NCLT considering the resolution plan approval during the pendency of the present SLP;

And

(b) Pass any other or further orders that this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, PETITIONER, AS DUTY BOUND, SHALL EVER PRAY.

DRAWN & FILED BY:



M/S BRAJESH PANDEY & ASSOCIATES
ADVOCATE FOR PETITIONER

DRAWN ON :12/08/2025
FILED ON :13/08/2025

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NO. OF 2025

IN THE MATTER OF:

DEVENDRA SINGH …PETITIONER

VERSUS

AJOY DAS & ORS. …RESPONDENTS

CERTIFICATE

Certified that the Special Leave Petition is confined only to the pleadings before the Court/ Tribunal whose order is challenged and the documents relied upon in those proceedings. No additional facts, documents or grounds have been taken therein or relied upon in the Special Leave Petition. It is further certified that the copies of the documents/ annexures attached to the special leave petition are necessary to answer the questions of law raised or to make out grounds urged in the special leave petition for consideration of this Hon'ble Court. This certificate is given on the basis of the instructions given by the petitioner/ person authorized by the petitioner(s) whose affidavit is filed in support of the Special Leave Petition.

Date :13.08.2025



M/S BRAJESH PANDEY & ASSOCIATES
Advocate for the Petitioner

IN THE HON'BLE SUPREME COURT OF INDIA

(EXTRAORDINARY CIVIL APPELLATE JURISDICTION)

SPECIAL LEAVE PETITION (CIVIL) NO. OF 2025

(Under Article 136 of Constitution of India)

WITH THE PRAYER FOR INTERIM RELIEF

(Against the Impugned final judgment and Order dated 12.10.2023 passed by the Hon'ble Division Bench of High Court of Calcutta in WPA No.1389 of 2017)

IN THE MATTER OF:

Devendra Singh **...Petitioner**

Versus

Ajoy Das & Ors. **...Respondents**

AFFIDAVIT

I, Devendra Singh, the Petitioner herein, son of Late Sh. Daryao Singh, aged about 60, occupation Resolution Professional of Alchemist Township India Ltd. having office at Assotech Business Cresterra, Office No.216, 2nd Floor, Tower-1 Regn. No. IBBI/IPA-002/IP-N00001 /2016-17 / 10001, presently at New Delhi, do hereby solemnly affirm and say as follows:-

1. That I am the Petitioner in the aforementioned Special Leave Petition and the Application along with the Petition herein and I am well conversant with the case and therefore, competent and authorised to swear this instant affidavit.

NOTARY PUBLIC
K. BANDANA
DELHI
Regn. No. 19718
Date of Expiry
06-02-2030
GOVT. OF INDIA

2. That I have read the contents of the List of Dates and Synopsis (Pages B to N), contents of Special Leave petition from Para 4 to 8 pages and Page 8 to 33 of the Application are true and correct to best of my knowledge.

3. I state that Annexure P-1 to P-7 contained in the pages 37 to 212 are copies of their respective original and correct to best of my knowledge.

4. I say nothing has been concealed from this Hon'ble Court.

DEPONENT

IDENTIFIED

VERIFICATION

I, the deponent named hereinabove, do hereby solemnly affirm and verify that the contents of the above Affidavit are true and correct to my knowledge, based on the records maintained by the Appellant, no part of it is false, and nothing material has been concealed therefrom.

Verified at Delhi on this _____day of August 2025.

13 AUG 2025

DEPONENT

ATTESTED
NOTARY PUBLIC DELHI
Govt. of India