ITEM NO.13 COURT NO.8 SECTION XVI

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

SPECIAL LEAVE PETITION (CIVIL) Diary No. 45468/2025

[Arising out of impugned final judgment and order dated 12-10-2023 in WPA No. 1389/2017 passed by the High Court at Calcutta]

DEVENDRA SINGH **Petitioner(s)**

VERSUS

AJOY DAS & ORS. **Respondent(s)**

IA No. 232800/2025 - CONDONATION OF DELAY IN FILING
IA No. 232799/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 232802/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Date : 23-09-2025 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) : Mr. S.nagamuthu, Sr. Adv.
M/S. Brajesh Pandey & Associates, AOR
Mr. Saurabh Kalia, Adv.
Mr. Sandeep, Adv.

For Respondent(s) :

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

1. **Permission to file SLP is granted.**

2. **Delay condoned.**

3. **Heard Mr. S.Nagamuthu, the learned senior counsel**

Signature Not Verified
Digitally signed by CHANDRESH
Date: 2025.09.23 17:41:29 IST
Reason:

appearing for the petitioner-Resolution Professional.

4. Our attention was drawn to the order passed by the High Court of Judicature at Calcutta dated 16.09.2021 Annexure P-4 to this petition. The operative part of the Order dated 16.09.2021 reads thus:-

> ***"A bunch of CAN applications have been filed in WPA 1389 of 2017 for being impleaded as parties, claiming that the applicants are also depositors with the Alchemist Group of Companies under various schemes. In our opinion when the issue regarding refund of the money to all the depositors of the Alchemist Group of Companies is being considered in the main petition, the individual depositors are not required to be impleaded as parties to the proceedings. In case they have any grievance or any issue to be pointed out, they shall be at liberty to assist the Court in the pending matters.***
>
> ***The writ petitions being WPA 1389 of 2017, WPA20070 of 2018 (CAN 106 of2019) and WPA 26915 of 2017 are adjourned to November 23, 2021.***
>
> ***The connected applications in WPA 1389 of 2017 except the application being CAN 5390 of 2018 are disposed of."***

5. Thus, it appears that the NCLT was restrained from proceeding with the CIRP proceedings. In other words the order restrained the NCLT from passing any final order.

6. In such circumstances, the petitioner in his capacity as a Resolution Professional moved an I.A. bearing No. 688/2022 in WPA No.1389 of 2017 before the High Court and the same is pending for hearing.

7. We dispose of this petition with a request to the High Court to take up the I.A. No. 688/2022 in WPA No.1389 of 2017 at the earliest and see to it that an appropriate order is

passed in accordance with law after hearing all the parties concerned.

8. Let this exercise be undertaken and completed within a period of one month from today.

9. In the aforesaid, the petition stands disposed of.

10. Pending application(s), if any, stands disposed of.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)