

ITEM NO.29

COURT NO.7

SECTION XVII-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCivil Appeal No.2569/2022

PRERNA SINGH

Appellant(s)

VERSUS

COMMITTEE OF CREDITORS & ORS.

Respondent(s)

[TO BE TAKEN UP AS FIRST MATTER ON BOARD.]

(IA No. 186385/2025 - INTERVENTION APPLICATION & IA No. 110835/2025
- PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 16-04-2026 This matter was called on for hearing today.

CORAM :

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

For Appellant(s) :

Mr. Madhvi Diwan, Sr. Adv. (Not present)
Mr. Sudhir Naagar, AOR
Mr. Arun Kumar Nagar, Adv.
Mr. Sidharth Khatana, Adv.
Mr. Kshitij Sharda, Adv.
Mr. Bharat, Adv.

For Respondent(s) :

Mr. Biswajit Dubey, Adv.
Mr. Ramakant Rai, Adv.
Mr. Vardhman Kaushik, AOR
Mr. Somesh Srivastava, Adv.
Ms. Pranati Sinha, Adv.
Mr. Navin Kumar Jain Rp, Adv.Dr. Purvish Malkan, Sr. Adv.
Mr. Namit Suri, AOR
Ms. Surabhi Sinha, Adv.Ms. Meenakshi Kalra, AOR
Ms. Anjali Chauhan, Adv.
Ms. Kalpana Chauhan, Adv.
Ms. Madhupreet Nanda, Adv.
Ms. Vanshika Mathuria, Adv.
Ms. Sapna Rai, Adv.
Mr. Rajat Katyal, Adv.
Mr. Aryan Shah, Adv.
Mr. S N Kalra, Adv.
Mr. Kamal, Adv.
Mr. Pranav Rajput, Adv.

Mr. Aditya Bharat Manubarwala, Adv.
 Ms. Charvi Virmani, Adv.
 Ms. Meenu Padha, Adv.
 Mr. Gopal Singh Yadav, Adv.
 Mr. Bharat Thakorlal Manubarwala, AOR

Mr. Vikas Upadhyay, AOR

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

1. Paras 3, 4, 5, 6 and 7 respectively of our order dated 7th April, 2026 speaks for itself.

2. The same reads as under:-

"3. The Resolution Professional is personally present in the Court.

4. What we have been able to gather from the additional affidavit, referred to above, is that it has been undertaken by the RP that vacant possession of the premises shall be handed over to the appellant on or before 30th September, 2026. The second thing that has been stated on oath is that the CoC has resolved to pay an amount of Rs.50,55,565/- (Rs.Fifty lakh fifty thousand five hundred and sixty five only) per month as compensatory rent for the period April, 2026 to September, 2026.

The resolution to this effect has also been approved in its 30th CoC meeting held on 07.03.2026.

5. Unfortunately for the month of April, the rent amount has not been paid. We direct the RP to ensure that the rent of the amount stipulated above for the month of April, 2026 shall be paid within a period of one week from today.

6. We make it clear that RP shall not come forward with any further excuse insofar as this payment is concerned and shall continue making this payment till September, 2026 as understood.

7. Insofar as the issue relating to recovery of the arrears is concerned, we shall hear the parties and take a final call."

3. Today when the matter was taken up for hearing, the learned counsel appearing for the appellant brought to our notice that despite stating before this Court on oath that the COC has resolved to pay an amount of Rs.50,55,565/- (Rupees Fifty Lakh, Fifty Five Thousand, Five Hundred and Sixty Five Only) per month as compensatory rent for the period April 2026 to September 2026 and

the resolution to this effect has also been approved in its 30th CoC meeting convened on 7th March, 2026, still only an amount of Rs.33,83,000/- (Rupees Thirty Three Lakh and Eighty Three Thousand Only) has been paid towards rent for the month of April, 2026.

4. It is very unfortunate that despite making Statements on oath, the RP and the CoC have resiled from their statements.

5. We are going to take a very strict view of this contumacious conduct of one and all.

6. No one can take the Court for granted. This is nothing but gross abuse of the process of law. We shall take appropriate steps in this regard in the right direction at an appropriate stage. However, today we are left with no other option but to direct the RP and the CoC respectively to handover vacant and peaceful possession of the premises within a period of one week from today. We authorize the Superintendent of Police, Hapur, the State of Uttar Pradesh, to facilitate taking over vacant possession of the premises from the RP and the CoC respectively. Once the possession is taken over, a Report in that regard shall be filed before this Court by both the Superintendent of Police as well as by the appellant.

7. It will be for the RP and CoC to take care of the embedded goods and other articles lying in the premises. It is for them to work it out. In any circumstances, the premises along with the land shall be handed over to the appellant within a period of one week from today. Any lapse on the part of the RP or the CoC or both will be dealt with strictly.

8. Post this matter for further hearing on 28th April, 2026 on top of the board.

9. Registry shall forward one copy of this order to the S.P., Hapur at the earliest.

(VISHAL ANAND)
DY. REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)