

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

Miscellaneous Application No.1235/2026 in C.A. No.2626/2025

[Arising out of impugned final judgment and order dated 05-02-2026  
in C.A. No.2626/2025 passed by the Supreme Court of India]

APEX HEIGHTS PVT. LTD.

Appellant(s)

VERSUS

RAM KISHOR ARORA &amp; ANR.

Respondent(s)

IA No. 107113/2026 - APPLICATION FOR PERMISSION

ITEM NO.33

CIVIL APPEAL..... Diary No(s). 17844/2026

IA No. 109121/2026 - PERMISSION TO FILE APPEAL

IA No. 109286/2026 - STAY APPLICATION

Date : 20-04-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE JOYMALYA BAGCHIMr. Rajiv Jain, Adv. (A.C.)  
Mr. Amarendra Kumar, A.C.  
Md. Zaid Hashmat, Adv.  
Ms. Shruti Sakshi, Adv.

For Appellant(s) : Mr. Shubham Jain, AOR

Mr. Sunil J Mathews, Adv.  
Ms. Jyoti Chib, Adv.  
Ms. Samanwaya Rautre, Adv.  
Mr. Amit Kumar, Adv.  
Mr. Rajeev Singh, AORFor Respondent(s) : Mr. Shyam Divan, Sr. Adv.  
Mr. Amit Rawal, Sr. Adv.  
Mr. Mudit Sharma, AOR  
Ms. Nandini Sharma, Adv.  
Mr. Parvez Alam Khan, Adv.  
Mr. Sachin Sharma, Adv.  
Mr. Shashank Shekhar Pandey, Adv.  
Mr. Ritesh Dhyani, Adv.  
Mr. Arpith Jacob Varaprasad, Adv.

Mr. Dinesh Kumar Garg, AOR

Ms. Archana Pathak Dave, AGG  
Mr. Gudipati Gayatri Kashyap, Adv.  
Ms. Rose Verma, AOR

Miss Kanika Singhal, AOR

Mr. Sunil Kumar Sharma, AOR

Mr. S Niranjan Reddy, Sr. Adv.  
Mr. Ajay Bhargava, Adv.  
Mrs. Vanita Bhargava, Adv.  
Mr. Vamika Trehan, Adv.  
Mr. Siddhant Kumar, Adv.  
M/s. Khaitan & Co., AOR

Ms. Sangeeta Bharti, Adv.  
Mr. Devansh Srivastava, AOR

Mr. Krishnamohan K., AOR

Ms. Sangeeta Bharti, Adv.  
Mr. Devansh Srivastava, AOR

Mr. Kedar Nath Tripathy, AOR  
Mr. Luv Virmani, AOR

Mr. Mareesh Pravir Sahay, AOR  
Mr. Lalit Baid, Adv.  
Ms. Yaman Verma, Adv.  
Mr. Kartik Jindal, Adv.  
Ms. Chitra Chanda, Adv.  
Mr. Kartik Virmani, Adv.  
Mr. Saumaya Singh, Adv.

Ms. Sangeeta Bharti, Adv.  
Mr. Kumar Mihir, AOR  
Mr. Gunjan Sharma, Adv.

Mr. Anurag Pratyush Sahay, AOR

Mr. Himanshu Shekhar, AOR  
Mr. M.L. Lahoty, Adv.  
Mr. Anchit Sripat, Adv.

Ms. Aakriti Jain, AOR  
Mr. V K Sharma, Adv.  
Mr. Shanker Chhabra, Adv.

Mr. Anil Kaushik, A.S.G.  
Mr. Shrirang Bharat Varma, AOR

Mr. Harshwardhan Ghadge, Adv.  
Mr. Harsh, Adv.

Mr. Mohit Arora, AOR

Mr. N. Venkataraman, ASG  
Mr. Amish Tandon, Adv.  
Mr. Sameer Abhyankar, AOR  
Ms. Anushree Kulkarni, Adv.  
Ms. Akanksha Mishra, Adv.  
Ms. Aanchal, Adv.  
Ms. Ria Dhawan, Adv.

Mr. Ranjit Kumar, Sr. Adv.  
Mr. Amar Gupta, Adv.  
Mr. Pranav Tanwar, Adv.  
Mr. Mohit Sharma, Adv.  
Mr. Divyam Agarwal, AOR

Mr. O.P. Gaggar, AOR  
Mr. Sachindra Karn, Adv.

Ms. Sonal Gupta, AOR  
Ms. Swikriti Singhania, AOR  
Mr. Vishal Arun Mishra, AOR

Mr. Adarsh Rai, Adv.  
Mr. Gaurav Prakash Pathak, Adv.  
Mr. Nishant Kumar, AOR

Mr. K. Parameshwar, Sr. Adv.  
Mr. Anurag P. Sahay, AOR

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

Miscellaneous Application No.1235/2026 (It.37)

1. With reference to the tentative opinion expressed by this Court in the order dated 10.04.2026 regarding the amalgamation of all the projects to bring under the control of a Court-constituted Committee, it is pointed out, at the outset, by learned Senior Counsel/counsel representing the various stakeholders, homebuyers, financial institutions, NBCC, etc. that this issue can be effectively gone into by the National Company Law Appellate Tribunal (NCLAT), where the matter is now coming for hearing on

24.04.2026. Mr. Rajiv Jain, learned *amicus curiae*, is also of the view that the learned NCLAT may examine this aspect, especially in light of the fact that the Interim Resolution Profession (IRP) has stands presently suspended.

2. In this view of the matter, we request the learned NCLAT to consider the issue as to whether or not a Court constituted Committee should be appointed for managing the affairs of all the projects of Supertech Ltd. and/or whether such arrangement should be allowed to continue only in respect of the 16 projects, which has been entrusted to NBCC.

3. Since we have not expressed any opinion on merits in this regard, liberty is granted to the parties to raise their respective contentions before the learned NCLAT. The landowning Authorities, like Greater Noida Industrial Development Authority and Yamuna Expressway Industrial Development Authority, may also be impleaded and heard by the learned NCLAT.

4. Since the ongoing 16 projects entrusted to NBCC are also facing a stalemate after the suspension of IRP, it goes without saying that the matter involves some urgency. We, therefore, request the learned NCLAT to hear the matter, subject to other prioritised matters, on the date fixed, i.e., 24.04.2026. Learned counsel for the parties have also assured to extend full cooperation to the NCLAT for the purpose of hearing.

5. Post the matter for further consideration on 07.05.2026.

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6. Permission to file appeal is granted.

7. Issue notice, returnable on 07.05.2026.

8. Mr. Nishant Kumar, AOR, accepts notice on behalf of respondent no.3 - M/s. 34 Pavilion Apartment Owners Association.

9. A complete set of the paperbooks be handed over to learned *amicus curiae*, who shall verify the counterclaim of the Residence Welfare Association on one hand and those of the appellant(s) on the other.

10. Counter affidavit be filed within two weeks.

(ARJUN BISHT)  
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)  
ASSISTANT REGISTRAR