

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. /2026

(arising out of SLP (C) No.26807/2025)

NAVAYUGA ENGINEERING COMPANY APPELLANT(S)
LIMITED

VERSUS

SIKKIM URJA LIMITED (FORMERLY RESPONDENT(S)
TEESTA URJA LIMITED) & ORS.

With

Civil Appeal No. /2026

(arising out of SLP (C) No. 27163/2025)

O R D E R

1. Leave granted.
2. The issues that arise for consideration in these two appeals are squarely covered by the decision of this Court in *Prakash Atlanta (JV) vs. National Highways Authority of India*¹. However, we find that out of the consortium of three companies that were parties to the arbitral award dated 01.10.2019, only two companies, that is, Navayuga Engineering Company Limited and Sew Infrastructure Limited, have chosen to file these appeals. The third company, Abir Infrastructure Private Limited, did not file an appeal. We are informed by the learned counsel appearing for Sew Infrastructure limited that Corporate Insolvency Resolution Process was initiated against Abir Infrastructure Private Limited under the

1 2026 SCC OnLine SC 1998.

provisions of the Insolvency and Bankruptcy Code, 2016.

3. In any event, as the said company has not chosen to assail the judgment and order dated 30.05.2025, passed by the High Court of Sikkim in Arb. A. No.1 of 2024, no relief can be granted to it.

4. The two appeals are accordingly allowed and the impugned judgment dated 30.05.2025 passed by the High Court of Sikkim in Arb. A. No.1 of 2024 is set aside, insofar as it pertains to Navayuga Engineering Company Limited and Sew Infrastructure Limited. In consequence, the arbitral award shall stand restored insofar as these two companies are concerned.

5. The interim order dated 14.10.2025 passed by this Court in these appeals shall stand vacated and the amount lying in the fixed deposits shall be released to the appellants.

.....J.
(SANJAY KUMAR)

.....J.
(K. VINOD CHANDRAN)

NEW DELHI;
May 22, 2026.

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 S

Petition for Special Leave to Appeal (C) No. 26807/2025

[Arising out of impugned final judgment and order dated 30-05-2025 in Arb. A No. 1/2024 passed by the High Court of Sikkim at Gangtok]

NAVAYUGA ENGINEERING COMPANY LIMITED

Petitioner(s)

VERSUS

SIKKIM URJA LIMITED (FORMERLY TEESTA URJA LIMITED) & ORS.

Respondent(s)

FOR ADMISSION

IA No. 251348/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 235306/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

WITH

SLP(C) No. 27163/2025 (XV)

Date : 22-05-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR

HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) : Mr. Saurav Agrawal, Adv.
Mr. Shantanu Agarwal, Adv.
Mr. Saurabh Seth, Adv.
Mr. Dheeraj P Deo, AOR
Mr. Sumer Dev Seth, Adv.
Ms. Allaka Malikayi, Adv.
Mr. Abhinav Tyagi, Adv.
Mr. Manas Arora, Adv.
Mr. Anshuman Chowdhury, Adv.
Ms. Prachi Dubey, Adv.
Mr. Aarya Bhat, Adv.
Mr. Kabir Dev, Adv.

Mr. S.S. Ray, Sr. Adv.
Mr. Vaibhav Gulia, Adv.
Mr. Shubhaankar Ray, Adv.
Mr. Shankar Kumar Jha, Adv.
Ms. Rakhi Ray, AOR

For Respondent(s) :

Mr. Rana S Biswas, Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Sunil Kumar Sharma, AOR
Mr. N.k. Rahete, Adv.
Mr. Kartik Chettiar, Adv.
Mr. Yash Tripathi, Adv.

Mr. S.S. Ray, Sr. Adv.
Mr. Shubhaankar Ray, Adv.
Mr. Shankar K Jha, Adv.
Ms. Rakhi Ray, AOR

Mr. Saurav Agrawal, Adv.
Mr. Shantanu Agarwal, Adv.
Mr. Saurabh Seth, Adv.
Mr. Dheeraj P Deo, AOR
Mr. Sumer Dev Seth, Adv.
Ms. Allaka Malikayil, Adv.
Mr. Abhinav Tyagi, Adv.
Mr. Manas Arora, Adv.
Mr. Anshuman Chowdhury, Adv.
Ms. Prachi Dubey, Adv.
Mr. Aarya Bhat, Adv.
Mr. Kabir Dev, Adv.

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

The appeals are allowed in terms of the signed order placed on the file.

**(IRAMNAZ)
COURT MASTER (SH)**

**(PREETI SAXENA)
COURT MASTER (NSH)**

(Signed order is placed on the file)