**IN THE SUPREME COURT OF INDIA**
**CIVIL APPELLATE JURISDICTION**

**Miscellaneous Application No. of 2026**
**(@Diary No. 65129 of 2026)**
**in Civil Appeal No.10643 of 2024**

**Ahmed Buhari ...Applicant**

**Versus**

**Dickey Alternative Investment Trust and Anr ...Respondents**

**O R D E R**

**1.** Delay condoned.

**2.** Despite a direction to the parties in the appeal before the National Company Law Appellate Tribunal (NCLAT), who were also parties in the Civil Appeal before this Court, to co-operate with the NCLAT when the proceedings were taken up on 18.09.2024 for disposal of the appeal on merits; the matter is still pending before the NCLAT.

**3.** It is pointed out by the learned Senior Counsel appearing for the applicant that the hearing in the matter had proceeded considerably and the NCLAT, taking cognizance of a later order dated 31.10.2025, directed exchange of pleadings. Arguments were commenced by the applicant on

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28.01.2026 and concluded on 04.02.2026. The Resolution Professional put forth his arguments on 25.02.2026 and the Successful Resolution Applicant (SRA) concluded the arguments on 20.04.2026. However, the Committee of Creditors (CoC) sought time, and in the interim period, the Hon'ble Member (Judicial) who was hearing the matter in a Division Bench, got transferred to Delhi. The new incumbent had then posted the hearing on 05.08.2026, which stood adjourned to 27.08.2026. The parties only want expeditious consideration of the matter.

**4.** Considering the fact that the matter would now have to be reheard due to the transfer of the Member (Judicial), we would think it apposite to direct the constitution of a bench to hear the part-heard matter. Though, it has now been removed from part-heard, the matter would be restored as a part-heard matter and the Registry of the Principal Bench of the NCLAT will constitute a Special Bench comprising of the Members of the Bench which heard the matter considerably. The hearing shall proceed on online mode with the Member (Judicial) sitting in Delhi and the Member (Technical) sitting in Chennai.

**5.** We direct the Registry of the Principal Bench of the NCLAT to constitute the bench as directed herein within a week from today and fix a date for hearing within two weeks therefrom with due notice to the parties. The CoC shall positively put forth its arguments on the scheduled date and we request the Special Bench constituted to hear the matter on a day-to-day basis, if necessary, in the afternoon session and conclude the hearing expeditiously. We would also request the Special Bench to pass the orders on the same without much delay.

**6.** The MA stands disposed of with the above direction.

**7.** Pending application(s), if any, shall stand rejected.

**..... J.**
**(J. B. PARDIWALA)**

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

**NEW DELHI;**
**NOVEMBER 16, 2026.**