ITEM NO.36 COURT NO.1 SECTION X

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

Writ Petition(s)(Civil) No(s).1446/2026

VIKAS SINGH BHADORIYA & ORS. Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

Date : 19-11-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Sanjay M Nuli, Sr. Adv.
Mr. Govind Jee- 3275, AOR
Mr. Omanakuttan K K, Adv.
Mr. Gajjala Bhaskar, Adv.
Mr. Akhilesh Kumar Mishra, Adv.

For Respondent(s) :

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

1. The petitioners represent more than 4500 homebuyers in a housing project known as ‘GM Infinite Global Techies Town’, situated at village Thirupalya, Bengaluru, developed by respondent nos. 4 - Gulam Mustafa Enterprises Private Limited, a private builder-cum-developer. It is averred that the homebuyers have already deposited 95% of the sale consideration/allotment price. However, neither has the project been completed nor has possession of the allotted apartments been handed over to them.

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Date: 2026.11.23 16:39:25 IST
Reason:

2. Meanwhile, Corporate Insolvency Resolution Process (CIRP)

proceedings have been initiated against respondent no. 4 before the Nation Company Law Tribunal (NCLT), Bengaluru. The petition was admitted on 31.07.2026, resulting in the imposition of a moratorium and appointment of an Interim Resolution Professional (IRP).

3. The petitioners apprehend that, on account of the pendency of the CIRP proceedings, they are neither going to receive possession nor a refund of the amount deposited by them. At the same time, they apprehend that the banks with whom Tripartite Agreements were executed may initiate coercive proceedings for recovery of the outstanding amounts.

4. It appears to us that if the petitioners have already deposited a substantial portion of the allotment price, no coercive action of any nature should be taken against them till the project is completed and the possession of the residential unit(s)/apartment(s) is handed over of them.

5. Having regard to the fact that the project is situated in Bengaluru, the CIRP proceedings are pending before NCLT, Bengaluru, and the builder-cum-developer as well as the concerned financial institutions are also stated to be located in Bengaluru, Karnataka, we are of the view, that the appropriate and effective recourse for the petitioners would be to approach the jurisdictional High Court or NCLT, Bengaluru, as the case may be.

6. For abundant caution, we reiterate that no coercive action can be taken against the petitioner-homebuyers till the relevant proceedings reach their logical conclusion. Ordered accordingly.

7. The Writ Petition is, accordingly, disposed of.

8. Pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR