IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 6308 OF 2025

BAMCEF COOPERATIVE GROUP HOUSING SOCIETY LTD. … APPELLANT

Versus

HANUMAN PROMOTERS AND BUILDERS PVT. LTD. … RESPONDENT

O R D E R

1. I.A. No. 245774/2025 is allowed, and the appeal is taken on Board for final hearing.

2. Having heard learned counsel for the parties, in light of the subsequent judgments of this court, especially the Constitution Bench judgment in *M/s Gayatri Balaswamy vs M/s. ISG Novasoft Technologies Ltd.*,[1] dated 30.04.2025, pronounced during the pendency of these proceedings, it seems to us that the matter is required to be heard afresh by the Division Bench of the High Court.

3. It goes without saying that while deciding the appeal under Section 37 of the Arbitration and Conciliation Act, 1996, the Respondent shall be at liberty to argue that the matter requires to be remanded to the Single Bench. Such an argument shall be considered by the Division Bench in accordance with law.

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Date: 2025.11.17 16:45:54 IST
Reason:

1 2025 INSC 605.

4. All contentions are left open for the parties.

5. It is clarified that we have not expressed any opinion on the merits of the case.

6. Consequently, the impugned order is set aside, and the matter is remanded to the High Court to decide FAO(OS) (COMM) 278 of 2019 afresh and in accordance with law.

7. The parties are directed to appear before the High Court on 26.11.2026.

8. Keeping in view the fact that it is an old matter, the High Court is requested to provide expeditious hearing.

9. The appeal stands disposed of accordingly.

10. As a result, pending interlocutory applications, if any, also stand disposed of.

…….CJI.
(SURYA KANT)

…….J.
(JOYMALYA BAGCHI)

NEW DELHI;
NOVEMBER 05, 2026.

ITEM NO.5 COURT NO.1 SECTION XII-B

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

Civil Appeal No(s).6178-6179/2025

GAYATRI BALASAMY Appellant(s)

VERSUS

M/S ISG NOVASOFT TECHNOLOGIES LIMITED Respondent(s)

[ONLY IA NO. 245774/25 IN CA 6308/25 IS LISTED UNDER THIS ITEM]
WITH
C.A. No. 6308/2025 (XIV-A)
FOR EARLY HEARING APPLICATION ON IA 245774/2025
IA No. 245774/2025 - EARLY HEARING APPLICATION

Date : 05-11-2026 These appeals were called on for hearing today.

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

For Appellant(s) **Mr. Jinendra Jain- 1869, AOR**
Mr. Ajay Jain, Adv.
Mr. Krishna Sharma, Adv.
Ms. Shreya Jain, Adv.
Ms. Bijay Lakshmi, Adv.
Mr. Amit Chauhan, Adv.
Mr. Sukarn Aggarwal, Adv.
Mr. Amritansh Rawat, Adv.

Mr. Nishanth Patil- 2510, AOR

For Respondent(s) **Mr. Vipin Sanghi, Sr. Adv.**
Mr. Debmalya Banerjee, Adv.
Ms. Manmeet Kaur, Adv.
Mr. Rohan Sharma, Adv.
Mr. Gurtejpal Singh, Adv.
Mr. Jai Dogra, Adv.
Mr. Parth Gupta, Adv.
Mr. Vipul Pathak, Adv.
Ms. Liza Vohra, Adv.
Mr. Yash Wardhan Sharma, Adv.
For M/S. Karanjawala & Co.- 1707, AOR

Mr. Atul Sharma, Adv.
Mr. Abhinav Sharma, Adv.
Mr. Ayush Srivastava, Adv.
Mr. Mayank Bansal, Adv.

Mr. Alok Tripathi- 2962, AOR

Mr. George Pothan Poothicote, Adv.
Ms. Manisha Singh, Adv.
Ms. Jyoti Singh, Adv.
Mr. Aditya Mani Saran, Adv.
Mr. Ishaan Agarwal, Adv.
Mr. Ajay Thomas, Adv.
Mr. Avinash Shukla, Adv.
Mr. Ojeswita Singh, Adv.
Mr. Kanav Khatana, Adv.
Mr. Pranav Nair, Adv.
Mr. Arunava Mukherjee- 2626, AOR

Mr. Shailesh Suman- 3581, AOR

Mr. Shashibhushan P. Adgaonkar- 2012, AOR

Mr. Pranav Sachdeva- 2259, AOR
Mr. Sanyam Jain, Adv.
Mr. P Rohit Ram, Adv.
Ms. Khushboo Singhal, Adv.
Ms. Mishra Divya Santosh, Adv.

Mr. Pallav Mongia- 2469, AOR

Ms. Manisha Ambwani- 2394, AOR

Ms. Sukanya Lal- 3852, AOR

Mr. Ravi Tyagi- 3808, AOR

Mr. E. C. Agrawala- 177, AOR

Ms. Garima Bajaj- 2433, AOR

Mr. Gaurav Varma- 2775, AOR

Mr. Anantha Narayana M.G.- 2160, AOR

Mr. Soayib Qureshi- 2971, AOR

Mr. Kaustubh Prakash- 3447, AOR

UPON hearing the counsel the Court made the following

O R D E R

C.A. Nos.6178-6179/2025

List on the date, if any, already notified.

C.A. No. 6308/2025

I.A. No. 245774/2025 is allowed, and the appeal is taken on Board for final hearing.

The appeal stands disposed of in terms of the signed order.

As a result, pending interlocutory applications, if any, also stand disposed of.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI DILEEP KUMAR)
DEPUTY REGISTRAR

(Signed order in C.A. No.6308/2025 is placed on the file)