

ITEM NO.20

COURT NO.16

SECTION XVII-B

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

Civil Appeal No(s). 7825/2026

MS BIOTECH PRIVATE LIMITED

VERSUS

Appellant(s)

DR KONDAPALLI VENKAT SRINIVAS

Respondent(s)

FOR ADMISSION

Date : 22-05-2026 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Appellant(s) Mr. S. Niranjan Reddy, Sr. Adv. (through VC)
Mr. Raavi Yogesh Venkata, AOR
Ms. Sana Jain, Adv.
Mr. Kotte, Adv.

For Respondent(s)

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

1. Heard Mr. S. Niranjan Reddy, learned Senior Counsel for the appellant.
2. Learned Senior Counsel for the appellant submits that there are multiple judgments of the National Company Law Appellate Tribunal holding that even if the sale is on as is where is basis, but if the sale is as a going concern in liquidation, the entity purchasing the going concern, cannot be mulcted with claims.
3. Learned Senior Counsel for the appellant submits that the impugned order strikes a discordant note from those line of judgments.
4. Liberty to place the judgments on record.

5. List on 20th July, 2026.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)