

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.10927-10929/2026
(@SPECIAL LEAVE PETITION(C) NOS.29105-29107/2026)
(SPECIAL LEAVE PETITION (CIVIL) Diary No.35705/2023)

M/S TUF METALLURGICAL PVT. LTD.

Appellant(s)

VERSUS

GAURAV AGRAWAL & ORS.

Respondent(s)

O R D E R

1. Leave granted.

2. Application seeking deletion of proforma Respondent No.16 is allowed from the array of parties.

3. Cause title be amended accordingly.

4. These appeals arise from three interim Orders dated 6-5-2022, 24-7-2023 and 24-8-2023 respectively in Company Appeal No.1 of 2022 passed by the High Court of Chhattisgarh, by which the High Court entertained the Writ Applications preferred by the private Respondents before us.

5. What we have been able to gather is that the appellant before us was a financial creditor to the corporate debtor. Following a default on repayment of loan, the appellant instituted insolvency proceedings under the Insolvency and Bankruptcy Code, 2016 (for short, "the IBC") and the Corporate Insolvency Resolution Process was set in motion. The appellant, as a resolution applicant, proposed a resolution plan before the Committee of Creditors.

6. A revised resolution plan was later submitted. This revised plan was approved by the National Company Law Tribunal, Delhi vide

Order dated 5th November, 2019. This Order, passed by the NCLT, was made a subject matter of challenge before the High Court.

7. Having heard the learned council appearing for the parties, and having gone through the materials on record, we are of the view that the High Court ought not to have exercised its writ jurisdiction against the Order passed by the NCLT. Against any Order passed by the NCLT, if a party is aggrieved, the party has to go before the National Company Law Appellate Tribunal, Principal Bench, Delhi. There was no good reason for the High Court to entertain the Writ Applications.

8. On this short ground alone, we set aside all the three Orders impugned before us.

9. We leave it for the respondents to avail appropriate legal remedy before the appropriate forum in accordance with law insofar as their other grievances are concerned,

10. We clarify that we have otherwise not expressed any opinion on merits of the case.

11. With the aforesaid, the appeals stand disposed of.

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

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

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

NEW DELHI;
18TH AUGUST, 2026.

ITEM NO.46

COURT NO.6

SECTION IV-C

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

SPECIAL LEAVE PETITION (CIVIL) Diary No.35705/2023

[Arising out of impugned final judgment and order dated 06-05-2022 in COMA No. 1/2022, Order dated 24-07-2023 in COMA No. 1/2022 and Order dated 24-8-2026 in COMA No. 1/2022 passed by the High Court of Chhattisgarh at Bilaspur]

M/S TUF METALLURGICAL PVT. LTD.

Petitioner(s)

VERSUS

GAURAV AGRAWAL & ORS.

Respondent(s)

(IA No. 189030/2023 - DELETION, IA No. 189026/2023 - CONDONATION OF DELAY IN FILING SLPs, IA No. 189028/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 193029/2023 - EXEMPTION FROM FILING O.T., IA No. 189029/2023 - EXEMPTION FROM FILING O.T., IA No. 219860/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION AND IA No. 193023/2023 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS)

Date : 18-08-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) : Mr. Atul Shankar Vinod, AOR

For Respondent(s) :

Mr. Purvish J. Malkan, Sr. Adv.
Mr. Ashutosh Ghade, AOR
Ms. Saloni Meshram, Adv.

Mr. Nachiketa Joshi, Sr. Adv.
Mr. Sudarshan Lamba, AOR
Ms. Sansriti Pathak, Adv.
Ms. Aastha Singh, Adv.
Mr. Bhakti Vardhan Singh, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Rupesh Kumar, Adv.

Mr. Davinder Pal Singh, ASG
Ms. Sansriti Pathak, Adv.
Ms. Aastha Singh, Adv.
Mr. Bhakti Vardhan Singh, Adv.

Mr. Bhuvan Kapoor, Adv.
Mr. Rupesh Kumar, Adv.
Mrs. Madhulika Upadhyay, AOR

Mr. Prashant Singh, AOR

Mr. R K Srivastava, Adv.
Mr. I P S Oberoi, Adv.
Mr. Maibam Nabaghanashyam Singh, AOR

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

1. Delay condoned.
2. Leave granted.
3. The appeals stand disposed of, in terms of the signed order.
4. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed Order is placed on the file)