

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

Civil Appeal No.12125 of 2026

Aayush Prashant Agarwal

.....Appellant(s)

VERSUS

Uma Exports Limited and Anr.

.....Respondent(s)

O R D E R

1. The appellant is aggrieved by the impugned order, refusing withdrawal of the application filed by the respondent, the Operational Creditor of the appellant. The Appellate Tribunal found that the proceedings cannot be withdrawn summarily under Section 12A as amended by the Amendment Act, 2026 (Act No.6 of 2026). In the present case, the CIRP was initiated on 23.07.2026 while the settlement agreement is of 06.08.2026. Section 12A requires the Resolution Professional to file the application for withdrawal with the approval of 90% of the Committee of the Creditors. The respondent, who appears through learned Counsel submits that the matter has been settled.

2. The Resolution Professional, through learned Counsel also appeared and submitted that the application has already been filed before the NCLT to withdraw the application filed under Section 9. The appellant is aggrieved with the CIRP costs while the application is pending.

3. In these circumstances, we request the NCLT to take on board the application by the next week and expeditiously dispose of the same. We also make it clear that the Resolution Professional shall not raise any claim for further charges from today.

4. The appeal stands disposed of.

5. Pending application(s), if any, shall stand disposed of.

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

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

**NEW DELHI;
SEPTEMBER 18, 2026.**

ITEM NO.55

COURT NO.5

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.12125/2026

AAYUSH PRASHANT AGARWAL

Appellant(s)

VERSUS

UMA EXPORTS LIMITED & ANR.

Respondent(s)

FOR ADMISSION

IA No. 264215/2026 - STAY APPLICATION

Date : 18-09-2026 This matter was called on for hearing today.

CORAM :

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

For Appellant(s) : Mr. Shashank Pathak, Adv.
Mr Karan Grover, Adv.
Mr. Shamboo Nandy , AOR
Mr. Paras Sharma, Adv.
Mr. Harsha Chopra, Adv.
Mr. Mohd. Asif, Adv.
Mr. Arjit Mazumdar, Adv.
Mr Baksh Sharma, Adv.

For Respondent(s) : Mr. Mukul Agarwal, Adv.
Shreya Jain, Adv.
Mr.Bhaskar Aditya, AOR
Ms. Avantika Chaudhary, Adv.

Mr. Nitesh Ranjan, AOR
Mr. Kartik Kumar, Adv.
Mr Abhishek Kumar Gupta, Adv.
Mr. Neelaksh, Adv.
Mr.Piyush Singh, Adv.

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

1. The appeal is disposed of in terms of the signed order.
2. Pending application(s), if any, shall stand disposed of.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed order is placed on the file)