

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION NO. 2078 OF 2026
IN
CIVIL APPEAL NO. 7974 OF 2026

SURJYOTI SUJALCHANDRA BAGCHI

APPELLANT(S)

VERSUS

BIMAL KUMAR AGARWAL & ANR.

RESPONDENT(S)

ADANI POWER LIMITED

APPLICANT(S)

O R D E R

1. This Miscellaneous Application has been filed by Adani Power Limited, the successful resolution applicant of Vidarbha Industries Power Limited, seeking clarification of this Court's order dated 18.05.2026 in Civil Appeal No. 7974 of 2026.

2. By the said order, while construing paragraph 12 of the NCLT's order dated 18.06.2025 approving the Resolution Plan, this Court clarified that the sum of Rs.1 crore earmarked for operational creditors, in respect of which the employees were to have the first preferential claim, was payable in addition to the amounts due towards the employees' provident fund and gratuity.

3. The clarification now sought is whether the amount of Rs.65,17,076/-, comprising provident fund, gratuity and interest, is to be distributed *pro rata* amongst all eligible operational creditors or exclusively amongst the eligible employees.

4. It is thus clarified that the amount of Rs.65,17,076/- shall be disbursed amongst the eligible employees only.

5. IA No.181149/2026 and Miscellaneous Application stand disposed of, accordingly, with pending application(s), if any.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(V. MOHANA)

NEW DELHI;
JULY 24, 2026.

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

Miscellaneous Application No. 2078/2026 in C.A. No. 7974/2026

[Arising out of impugned judgment and order dated 18-05-2026 in C.A. No. 7974/2026 passed by the Supreme Court of India]

SURJYOTI SUJALCHANDRA BAGCHI

Petitioner(s)

VERSUS

BIMAL KUMAR AGARWAL & ANR.

Respondent(s)

ADANI POWER LIMITED

Applicant(s)

(IA No. 181149/2026 - CLARIFICATION/DIRECTION)

Date : 24-07-2026 This matter 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. Aashul Aggarwal, Adv.
Ms. Kamakshi Gupta, Adv.
Mr. Akash Chatterjee, AOR

For Respondent(s) :Mr. Arvind Nayyar, Sr. Adv.
Ms. Daizy Chawla, Adv.
Mr. Jatin Kapoor, Adv.
Mr. Kumar Shashwat Singh Sawno, Adv.
Mr. Ankit Srivastav, Adv.
Ms. Diksha Dadu, Adv.
Mr. Akshay Joshi, Adv.
Mr. Saksham Maheshwari, AOR

UPON hearing the counsel the Court made the following

O R D E R

IA No.181149/2026 and Miscellaneous Application stand disposed of, with pending application(s), if any, in terms of the signed order.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR

(Signed order is placed on the file)