

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH (SINGLE)

ITEM No. 111
TA (IBC)-23(PB)/2026

IN THE MATTER OF:

Arcelormittal Nippon Steel India Private Limited Applicant
Vs
Gujarat Operational Creditors Association And Ors. Respondent

Order under Rule 16(d) of the NCLT Rules, 2016.

Order Delivered on 09.10.2026

CORAM:

JUSTICE ANUPINDER SINGH GREWAL
HON'BLE PRESIDENT

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant : Mr. Gopal Jain, Sr. Adv., Ms. Ruby Singh Ahuja, Mr. Ashim Sood, Mr. Vishal Gehrana, Mr. Varun Khanna, Mr. Devang Kumar, Advs.
For the Respondent : Mr. Deepak Khosla, Adv. (Appearance not marked)

ORDER

1. On 14.08.2026 the following order was passed:

“1. On 10.07.2026, the following order was passed:

“1. Ld. Sr. Counsel Mr. Neeraj Kishan Kaul appearing for the Applicant submits that the Supreme Court in Special Leave Petition (Civil) Diary No(s). 24062/2026 is adjudicating a challenge to the judgement of the Gujarat High Court which would have a bearing on the instant transfer application. The matter is now listed before the Supreme Court on 29.07.2026.

2. Ld. Counsel Mr. Deepak Khosla appearing for the Respondent submits that the matter pending before the Supreme Court would not have any bearing on the instant transfer application.

3. List on 14.08.2026.

IA-2305/2026, IA-2416/2026, IA-2417/2026

List on 14.08.2026.”

2. Ld. Sr. Counsel Mr. Gopal Jain, appearing for the Applicant, submits that the Special Leave Petition (Civil) Diary No(s). 24062/2026 (now tagged with Special Leave to Appeal (C) No(s).848/2026) is pending adjudication before the Supreme Court and is now listed before the Supreme Court on 28.09.2026.

3. However, Ld. Counsel Mr. Deepak Khosla, appearing for the Respondent, submits that the matter pending before the Supreme Court would not have any bearing on the instant transfer application.

4. List on 09.10.2026.

IA-2305/2026, IA-2416/2026, IA-2417/2026

List on 09.10.2026.

2. Ld. Sr. Counsel for the applicant submits that Special Leave to Appeal (C) No (s). 848 of 2026 is pending adjudication before the Supreme Court and would have a bearing on the instant transfer application. It is further submitted that the said matter is next listed before the Supreme Court on 27.10.2026.

3. Ld. Sr. Counsel for the applicant also submits that the Union of India has filed a Special Leave Petition (C) No. 22155-22156 of 2026 against the order dated 16.10.2025 passed by the High Court of Gujarat in SCA No. 7966/2025 which, inter alia, concerns, the issue of recusal by the benches of the NCLT, Ahmedabad Bench and the transfer orders passed by

the then President, NCLT, New Delhi. It is submitted that in the Special Leave Petition (C) No. 22155-22156 of 2026 the next date before the Supreme Court on 27.10.2026.

- 4.** It is also submitted that the respondent has also filed a writ petition bearing no. Special Leave Application 17630 of 2026 before the High Court of Gujarat, inter alia, challenging the actions of the Respondent therein (the then President, NCLT, New Delhi) seeking to act upon the rescission of the consent recorded by the High Court in SCA No. 11679 of 2024, vide judgment dated 16.10.2025.
- 5.** It is submitted by the applicant that, in the said writ petition, a prayer has been made for restraining the NCLT and the President, NCLT, from acting upon the aforesaid rescission and for dismissal of the Transfer Application (IBC) No. 23 of 2026. The writ petitioner has also sought interim directions for the Special Bench of the NCLT, Ahmedabad to conduct virtual hearings comprising two Learned Members who otherwise constitute Court-II, NCLT, New Delhi, and to proceed with the adjudication of the Transfer Petition (IBC) No. 04 of 2026 and other related matters assigned to it during the pendency of the writ petition.
- 6.** *Per contra*, Ld. Counsel Mr. Deepak Khosla, appearing for the Respondents, submits that the proceedings pending before the Supreme Court would have no bearing on the instant transfer application, as the issue therein pertains to the power of this Tribunal to transfer cases across jurisdictions, whereas the instant transfer application concerns an intra-jurisdictional transfer. He also submits that this Court

should clarify that no interim order has been passed staying the proceedings before Court-II, NCLT, New Delhi and therefore it should decide the matter expeditiously.

7. List on 06.11.2026.

8. New IA-4699/2026

9. Ld. Sr. Counsel appearing for the Applicant prays for time to file additional affidavit in support of the application. He may do so within three days.

10. List on 06.11.2026.

IA-2305/2026, IA-2416/2026 and IA-2417/2026

11. List on 06.11.2026.

-sd-

**(ANUPINDER SINGH GREWAL)
PRESIDENT**