

ITEM NO.15

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
RECORD OF PROCEEDINGS

Civil Appeal No. 9306/2026

M/S MANJEET COTTON PVT. LTD.

Appellant(s)

VERSUS

PHOENIX ARC PVT. LTD.

Respondent(s)

(FOR ADMISSION)

Date : 31-07-2026 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.V.N. BHATTI
HON'BLE MR. JUSTICE N.V. ANJARIA

For Appellant(s) Mr. K. Parameshwar, Sr. Adv.
 Mr. Shree Vardhan Dhoot, Adv.
 Mr. Kush Taneja, Adv.
 Mr. Amrit Rathi, Adv.
 Mr. Arnav Doshi, Adv.
 Mr. Aryan Mehta, Adv.
 Ms. Niharika Singh, Adv.
 Mr. Rohit Anil Rathi, AOR

For Respondent(s)

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

1. Mr. K. Parameshwar, learned senior counsel for the appellant, argues that the denial of the appellant's claim and the direction to distribute the surplus generated during the Corporate Insolvency Resolution Process (for short, 'CIRP') under Section 53 of the Insolvency and Bankruptcy Code, 2016, are, *ex facie*, untenable, inasmuch as findings have been recorded without construing the terms and conditions under which the Resolution

Applicant submitted the proposal. To wit, he invites our attention to the Resolution Plan at Page No. 184, Clause 4.1.ii, which reads as under:

"ii) Other than the claims and settlements pertaining to the Corporate Debtor that have been envisaged and set out under this Resolution Plan, no other payment or settlement, of any kind, shall be made to any other person or entity in respect of any other claims(whether or not admitted or filed or verified with the Resolution Professional) and/or any sub-judice claims and all such claims against the Corporate Debtor along with any related legal proceedings, in relation to any period prior to the Transfer Date or arising on account of acquisition of control over the Corporate Debtor by the Resolution Applicants pursuant to this Resolution Plan, shall stand irrevocably and unconditionally abated, settled and extinguished. Such extinguishment of claims shall be deemed to form an integral part of the order by the Adjudicating Authority approving the Resolution Plan and shall accordingly be binding on all the stakeholders including the Corporate Debtor, its employees, workmen, financial and operational creditors, guarantors, security providers, and other stakeholders. The treatment accorded to the persons receiving settlement under this Resolution Plan shall constitute an absolute discharge and settlement of the dues to which they

pertain and shall be the full and final performance, discharge and satisfaction of all obligations relating thereto."

2. Therefore, the argument is that this is a case where the Resolution Applicant while freezing the amounts due and payable to the Committee of Creditors, has agreed to take what is generated by the Company under CIRP.

3. Issue notice, returnable on 17.08.2026.

4. Dasti, *in addition*, is permitted.

(SNEHA DAS)
COURT MASTER (SH)

(NIDHI MATHUR)
COURT MASTER (NSH)