

ITEM NO.2

COURT NO.15

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 510/2022

SANJAY SINGAL & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

WITH

W.P.(C) No. 443/2022 (X)

(FOR ADMISSION and IA No.85583/2022-EX-PARTE STAY)

W.P.(C) No. 525/2022 (X)

(....FOR ADMISSION and IA No.95786/2022-STAY APPLICATION)

W.P.(C) No. 544/2022 (X)

(FOR ADMISSION and IA No.99406/2022-STAY APPLICATION)

W.P.(C) No. 546/2022 (X)

(FOR ADMISSION and I.R. and IA No.99805/2022-STAY APPLICATION)

W.P.(C) No. 519/2022 (X)

(FOR ADMISSION and IA No.94792/2022-GRANT OF INTERIM RELIEF)

Date : 30-08-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s)

Mr. Sandeep Bajaj, Adv.

Mr. Soayib Qureshi, AOR

Ms. Aditi Pundhir, Adv.

Mr. Devansh Jain, Adv.

Mr. Abhirup Das Gupta, Adv.

Mr. Mohit D. Ram, AOR

Mr. Ishaan Duggal, Adv.

Ms. Bhawana Sharma, Adv.

Ms. Monisha Handa, Adv.

Mr. Rajul Shrivastav, Adv.

Mr. Anubhav Sharma, Adv.

Mr. Jaideep Gupta, Sr. Adv.

Mr. Prateek Seksaria, Adv.

Mr. Mahesh Agarwal, Adv.
 Mr. Pranjit Bhattacharya, Adv.
 Mr. Divyanshu Srivastava, Adv.
 Mr. Nishant Chothani, Adv.
 Mr. E. C. Agrawala, AOR

Mr. Atul Nanda, Sr. Adv.
 Mr. Sandeep Bajaj Adv.
 Mr. Soayib Qureshi, Adv.
 Ms. Rameeza Hakeem, Adv.
 Mr. Martand Singh, Adv.
 Mr. Ninad Dogra, AOR
 Ms. Aditi Pundhir, Adv.
 Mr. Vijay Poonia, Adv.

Ms. Eshna Kumar, Adv.
 Mr. Udit gupta, Adv.
 Mr. Anup Jain, Adv.
 Mr. Akshan Goel, Adv.
 Mr. V. Chaturvedi, Adv.
 Ms. Prachi Gupta, Adv.
 M/S. Udit Kishan And Associates, AOR

Mr. Karan Batura, AOR
 Mr. Kanishk Khetan, Adv.

For Respondent(s) Mr. N. Venkataraman, ASG
 Mr. Sanjay Kapur, AOR
 Ms. Shubhra Kapur, Adv.
 Ms. Megha Karnwal, Adv.
 Mr. Arjun Bhatia, Adv.
 Mr. Aashish Kumar Gupta, Adv.

Mr. Venancio D'Costa, Adv.
 Mr. Faisal Sherwani , AOR
 Mr. Abhindra Maheshwari, Adv.
 Ms. Astha Ojha, Adv.

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

In this matter, the reliefs asked for *inter alia*, declaration that the provisions of Sections 95(1), 96(1), 97(5), 99(1), 99(2), 99(4), 99(5), 99(6) and 100 of the Insolvency and Bankruptcy Code, 2016 are ultra vires the Articles 14, 19(1)(g) of the Constitution of India.

When this matter is called on, the learned counsel appearing

for the petitioner submits that there are several proceedings pending in which these provisions are under challenge on constitutional grounds. One of such matters is WP(C) No.307/2022.

In our view, this matter also ought to be be tagged with WP(C) No.307/2022.

On 11.07.2022, in a batch of writ petitions, an interim Order was passed to the following effect, (one of us, was a party to the said Order):

“...In the meanwhile, petitioner(s) shall not transfer, alienate, encumber or dispose of any of their assets or legal rights or beneficial interest therein; and the Resolution Professional shall not proceed with filing of the report. If the report has been filed, the same shall not be acted upon.”

Mr. N. Venkataraman, Learned senior counsel appearing for the State Bank of India submits that the part of the Order by which the Resolution Professional has been prevented from filing of the report in the interim Order, may not be passed at this stage. As we are only directing tagging of the matter with the aforesaid writ petition, we are not considering the question of passing interim measure at this stage.

Let this matter to be tagged with WP(C) No.307/2022. The petitioner shall be at liberty to apply for interim Order before the Bench hearing WP(C) No.307/2022.

(JATINDER KAUR)
SENIOR PERSONAL ASSISTANT

(RAM SUBHAG SINGH)
BRANCH OFFICER