

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4286 OF 2012

WITH

I.A. NO. 64322 OF 2026

COMMISSIONER OF SALES TAX ODISHA AND ANR. APPELLANTS

VERSUS

M/S BHUSHAN POWER AND STEEL LIMITED AND ANR. RESPONDENTS

O R D E R

1. I.A. No.64322 of 2026 has been filed seeking disposal of the present appeal as having become infructuous. It is stated thereunder:

“a. Appellant No. 2’s demand of tax and penalty has been set aside by the Hon’ble High Court of Orissa vide order dated 02.12.2011. Therefore, as on date of initiation of CIRP of Respondent No. 1/Applicant, no claim survives in the eyes of law.

b. Even otherwise, in order to be considered as a part of the CIRP process and SRA’s resolution plan, the Appellants ought to have submitted their claims, whether crystallised, contingent or disputed. The Appellants have failed to submit any claim in respect of the present proceedings.

c. State of Odisha has been aware of the CIRP

proceedings of the Respondent No. 1/Applicant all along. The State of Odisha had filed appeals for certain other pre-CIRP claims which were dismissed by this Hon'ble Court.

d. The resolution plan approval orders in respect of the Applicant have already attained finality and thus the same is binding on the Appellant."

2. It needs to be noted that under Section 31 of the Insolvency and Bankruptcy Code, 2016, the terms of the approved resolution plan would be binding on all the stakeholders, including the Central and State Governments, or any local authority in respect of debts/statutory dues.

3. In the instant case, admittedly, the appellants have not filed their claims before the Committee of Creditors (COC), within the time prescribed by the COC to the notice inviting the claims. In the light of the resolution plan having been approved on 05.09.2019 and affirmed by this Court on 26.09.2025. The claims of the appellants, if any, have stood extinguished. Hence, examining the grievance of the appellants, at this stage, would not arise. The appeal is, accordingly, dismissed.

4. However, we make it clear that any other pending proceedings would not be affected by this order, and

would be adjudicated independently notwithstanding the dismissal of the present appeal.

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

.....J.
(ARAVIND KUMAR)

.....J.
(PRASANNA B. VARALE)

NEW DELHI
MARCH 10, 2026

ITEM NO.65

COURT NO.15

SECTION XI-A

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

CIVIL APPEAL NOS. 4413-4414/2012

M/S VEDANTA ALUMINIUM LTD. & ANR.

APPELLANT(S)

VERSUS

STATE OF ORISSA . & ORS.

RESPONDENT(S)

[ONLY I.A. No. 64322/2026 IN C.A. No. 4286/2012 IS LISTED UNDER THIS ITEM.]

WITH

C.A. NO. 4286/2012 (XI-A)

IA No. 64322/2026 - APPLICATION FOR DISPOSAL OF SLP BY THE RESPONDENT

Date : 10-03-2026 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Appellant(s): Ms. Samapika Biswal, AOR
Ms. Mehak Kumar, Adv.

Mr. Praveen Kumar, AOR

For Respondent(s): Mr. Gopal Jain, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Anshuman Srivastva, Adv.
Mr. Siddhant Sahay, Adv.
Mr. E. C. Agrawala, AOR

Mrs. Kirti Renu Mishra, AOR

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

Civil Appeal No. 4286 of 2012 stands dismissed in terms of the signed order, which is placed on the file.

(POOJA SHARMA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER (NSH)