

ITEM NO.62

COURT NO.14

SECTION XI-B

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

Petition(s) for Special Leave to Appeal (C) No(s). 18523/2026

[Arising out of impugned final judgment and order dated 21-04-2026
in OPC No. 1295/2026 passed by the High Court of Kerala at
Ernakulam]

DAVIS KOOTTALA VARKEY & ORS.

Petitioner(s)

VERSUS

SAMSON T. GEORGE & ORS.

Respondent(s)

IA No. 160618/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

Date : 26-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :

Mr. Navin Pahwa, Sr. Adv.
Mr. Amit Pai, Adv.
Ms. Honey Satpal, Adv.
Mr. Nipun Singhvi, Adv.
Ms. Pankhuri Bhardwaj, AOR
Mr. Vedant Dave, Adv.
Mr. Mayur Jugtawat, Adv.

For Respondent(s) : Mr Avijit Mani Tripathi, AOR

Mr Z.H. Isaac, Adv.
Mr T.K. Nayak, Adv.
Ms Marbiang Khongwir, Adv.
Mr Aditya Kumar, Adv.

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

1. The submission of the learned counsel for the petitioner is that the High Court ought not to have entertained a challenge to the proceedings before the National Company Law Tribunal ("NCLT") which were under the Insolvency and Bankruptcy Code, 2016 ("IBC"). Reliance has been placed on two decisions of this Court, namely, *Committee of Creditors of KSK Mahanadi Power Company Ltd. v. Uttar Pradesh Power Corporation Ltd. and Others*¹ and *Mohammed Enterprises (Tanzania) Ltd. v. Farooq Ali Khan*².

2. Issue notice, returnable in eight weeks.

3. In the meantime, the impugned order dated 21.04.2026 shall remain stayed.

4. Further *proceedings* in O.P.C. No. 295 of 2026 shall also remain stayed.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)

1 [2024 SCC OnLine SC 4013](#)

2 [2025 SCC OnLine SC 23](#)