

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

SPECIAL LEAVE PETITION (CIVIL)..... Diary No(s).71659/2025

[Arising out of impugned final judgment and order dated 16-10-2025  
in SCA No.7966/2025 passed by the High Court of Gujarat at  
Ahmedabad]

ANITHA RAYAPATI, &amp; ORS.

Petitioner(s)

VERSUS

ARCELOR MITTAL NIPPON STEEL  
INDIA PRIVATE LIMITED, & ORS.

Respondent(s)

(IA No. 326017/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT, IA No. 326018/2025 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES, IA No. 326016/2025 - PERMISSION TO FILE  
PETITION (SLP/TP/WP/..)

WITH

SLP(C) No. 36291-36293/2025 (XVII)

(IA No. 326360/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT)

Date : 05-01-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE JOYMALYA BAGCHIFor Petitioner(s) :Mr. Arunava Mukherjee, AOR  
Mr. Nisarg P. Khatri, Adv.For Respondent(s) :Mr. Neeraj Kishan Kaul, Sr. Adv.  
Mr. Ashim Sood, Adv.  
Ms. Ruby Singh Ahuja, Adv.  
Mr. Vishal Gehrana, Adv.  
Mr. Varun Khanna, Adv.  
Ms. Aakriti Vohra, Adv.  
Mr. Devang Kumar, Adv.  
Mr. Deepak Joshi, Adv.  
Ms. Ira Mahajan, Adv.  
M/s. Karanjawala & Co., AORMr. Deepak Khosla, Adv.  
Mr. Pranav Sachdeva, Adv.  
Mr. P. Tohit Ram, Adv.  
Mr. Sangam Jain, Adv.

Ms. Khushboo Singhal, Adv.  
Ms. Divya Santosh, Adv.

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

Diary No(s).71659/2025

1. Permission to file special leave petition is granted.
2. Issue notice with a view to answering question no.(ii) formulated by the High Court in paragraph 9 of the judgment dated 16.10.2025, passed in R/Special Civil Application No.11679/2024, returnable on 23.02.2026.
3. Dasti, in addition, is permitted.

SLP(C) Nos.36291-36293/2025

4. The instant special leave petitions have been filed against the order dated 05.12.2025 passed by the President of the National Company Law Tribunal (in short, the "NCLT"), whereby it has disposed of a transfer application filed by the petitioners, in a manner that is not maintainable, in view of a judgment dated 16.10.2025 passed by the High Court of Gujarat in R/Special Civil Application No.11679/2024.
5. We have separately cast *prima facie* doubt on the correctness of the view taken by the High Court of Gujarat in the cited decision and consequently, notice has been issued in SLP(C) Diary No.71659/2025 to determine the question of law formulated by the High Court in paragraph 9(ii) of the judgment dated 16.10.2025.
6. So far as the impugned order of the President of NCLT in these special leave petitions is concerned, we have gone through the averments made in the application seeking transfer of TCP/131/241/AMR/2019 titled "Anitha Rayapati & Ors. vs. BIT

Corporation Pvt. Ltd.", TCP/133/241/AMR/2019 titled "Anitha Rayapati & Ors. vs. Tobacco Bye Products Pvt. Ltd. & Ors." and CP/145/241/AMR/2019 titled "Anitha Rayapati & Ors. vs. M/s. Gogeneni Tobaccos Limited & Ors.". These three matters are pending before the Amravati Bench of the NCLT, and the petitioners, by moving the transfer application before the President of NCLT, sought transfer of these cases to the NCLT, Hyderabad.

7. We have heard learned counsel for the petitioners and perused the grounds on which the transfer was sought.

8. The principal plea urged is that the Amravati Bench of the NCLT had granted an interim stay on 12.10.2022, and that during the course of hearing thereafter, a learned Member (Technical) allegedly "threatened to vacate" the said interim order. We are unable to accept such a contention. The ground urged is nothing but a brazen attempt to browbeat the Members of the Tribunal. Proceedings cannot be transferred merely because the Presiding Officer or a Member, during the course of hearing, has made certain observations. Since the very foundation of the transfer application was motivated and entirely unjustified, we are of the considered view that the application was rightly treated as liable to be dismissed by the President of the NCLT, albeit on a different ground.

9. Thus, the impugned order dated 05.12.2025 of the President of NCLT does not warrant any interference by this Court. However, the question of law raised in the connected matter, which has also been filed by the petitioners, is kept open and shall be determined in the proceedings in which notice has been issued separately.

10. With these observations/clarifications, the special leave petitions stand disposed of.

11. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)  
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)  
ASSISTANT REGISTRAR