

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 857-858 OF 2025

KALYAN MUPPANENI . . . . . APPELLANT(S)

VERSUS

M/S. K. COMPUTERS & ANR. . . . . RESPONDENT(S)

with

CIVIL APPEAL NO. 847 OF 2025

**O R D E R**

We are inclined to dispose of the present appeals without adjudication on merits in view of the appellant's stand and claim based upon the settlement agreement dated 02.01.2025. Form FA dated 02.01.2025, being the application for withdrawal of the Company Petition, signed on behalf of respondent No. 1, M/s. K. Computers, addressed to the Interim Resolution Professional is placed on record by the appellant, Kalyan Muppaneni, the erstwhile Director of the corporate debtor.

It is open to the Interim Resolution Professional to proceed in accordance with law and, if deemed appropriate, file an application under Section 12A of the Insolvency and Bankruptcy Code, 2016<sup>1</sup>.

It is the stance of respondent No. 1, M/s. K. Computers, that the aforesaid settlement agreement and Form FA were obtained under

1 "IBC", for short.

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Deepa Gupte  
Date: 2025.01.24  
17:11:44 IST  
Reason: 

force, coercion and threat. We are not examining and answering the said issues, as these are aspects to be adjudicated and decided in terms of the provisions of the IBC.

All pleas and contentions of the parties on the aforesaid aspects are left open.

We, however, clarify that the impugned judgment passed by the National Company Law Appellate Tribunal will not come in the way of the adjudicating authority/Interim Resolution Professional in examining the subject Form FA and also deciding as to whether or not the proceedings should be dropped in terms of Section 12A of the IBC.

It will be open to the appellant, Kalyan Muppaneni, the erstwhile Director of the corporate debtor, to move an appropriate application before the adjudicating authority for adjournment, stay etc.

Recording the aforesaid, the appeals are disposed of.

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

.....CJI  
(SANJIV KHANNA)

.....J.  
(SANJAY KUMAR)

.....J.  
(K.V. VISWANATHAN)

NEW DELHI;  
JANUARY 22, 2025.

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

CIVIL APPEAL NOS. 857-858 OF 2025

KALYAN MUPPANENI ..... APPELLANT(S)

VERSUS

M/S. K. COMPUTERS & ANR. .... RESPONDENT(S)

(FOR ADMISSION, IA No. 18012/2025 - PERMISSION TO PLACE ON RECORD  
SUBSEQUENT FACTS and IA No. 18013/2025 - STAY APPLICATION)

with

Civil Appeal No. 847/2025

(IA No. 17965/2025 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES, IA No. 17967/2025 - PERMISSION TO FILE  
LENGTHY LIST OF DATES and IA No. 17969/2025 - STAY APPLICATION)

Date : 22-01-2025 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SANJAY KUMAR  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Appellant(s) :

Mr. Navin Pahwa, Sr. Adv.  
Mr. Dama Seshadri Naidu, Sr. Adv.  
Mr. Pawan Jhabakh, Adv.  
Ms. Tanish Gupta, Adv.  
Ms. Iyer Shruti Gopal, Adv.  
Mr. Ravi Sehgal, Adv.  
Mr. Shantanu Singh, Adv.  
Mr. Anandh K., AOR

Mr. Navin Pahwa, Sr. Adv.  
Mr. Dama Seshadri Naidu, Sr. Adv.  
Mr. Pawan Jhabak, Adv.  
Mr. K. Anandh, Adv.  
Mr. Shantanu Singh, Adv.  
Mr. Ravi Sehgal, Adv.  
Mr. Pai Amit, AOR

For Respondent(s) :

Mr. S. Niranjana Reddy, Sr. Adv.  
Mr. Kondapalli Venkata Srinivas, Adv.  
Mr. Raavi Yogesh Venkata, AOR  
Mr. Kotte Venkata Pawan Kumar, Adv.  
Ms. Twinkle Rathi, Adv.

Mr. Kondapalli Sai Sumed Yasaswi, Adv.  
Mr. Sahil Raveen, Adv.

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

The appeals are disposed of in terms of the signed order.

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

(DEEPAK GUGLANI)  
AR-cum-PS

(R.S. NARAYANAN)  
ASSISTANT REGISTRAR

(signed order is placed on the file)