

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

Civil Appeal No.2601/2025

ROMI DATTA

Appellant(s)

VERSUS

SIGMA SUPPLY CHAIN SOLUTIONS PVT. LTD. & ANR.

Respondent(s)

O R D E R

1. This appeal arises from the order passed by the National Company Law Appellate Tribunal, Principal Bench, New Delhi in Company Appeal(AT) (Ins.) No.1652/2023 dated 26-11-2024 by which the appeal filed by the appellant - herein came to be dismissed thereby affirming the order passed by the Adjudicating Authority admitting Section 9 IBC petition.

2. We need not adjudicate this appeal on merits in the wake of settlement between the parties.

3. We heard Mr. Navin Pahwa, the learned Senior counsel appearing for the appellant - Corporate Debtor and Mr. Balbir Singh, the learned Senior counsel appearing for the Operational Creditor. Mr. Akshay appeared on behalf of the I.R.P.(Insolvency Resolution Professional).

4. The Operational Creditor filed CP(IB)678/MB-IV/2022 under Section 9 of the IBC claiming total amount of Rs.4,75,90,468.16 (Four crore, seventy five lakh, ninety thousand, four hundred, sixty eight and paise sixteen only) inclusive of interest. The

Section 9 petition was filed on 27-12-2021.

5. The bifurcation of the total amount is as under:-

A. Principal amount - Rs.2,19,49,432.60 (Two crore, nineteen lakh, forty nine thousand, four hundred, thirty two and paise sixty only)

B. Interest amount - Rs.2,56,41,036.00 (Two crore, fifty six lakh, forty one thousand and thirty six only)

6. On 6-12-2023, the NCLT passed an order initiating CIRP against the Corporate Debtor.

7. Being aggrieved by the order passed by the NCLT, referred to above, the appellant - herein filed Company Appeal before the NCLAT.

8. On 18-12-2023, the NCLAT passed an order that no further steps shall be taken in the C.I.R.P.

9. Ultimately, the NCLAT vide the impugned order dismissed the appeal.

10. In such circumstances, the Corporate Debtor is here before this Court with the present appeal.

11. There has been a settlement between the parties.

12. It was pointed out to us that the entire outstanding of the operational creditor has been settled along with another operational creditor (DARCL Logistics) forming part of COC. In terms of the said settlement, both the creditors are being paid today following by way of demand drafts:-

A Operational Creditor in the Civil Appeal - Rs,2,80,00,000/-  
(Rupees Two Crore and Eighty Lakh only)

B DARCL Logistics - Rs.21,00,000/- (Rupees Twenty One Lakh)

13. In view of the aforesaid, nothing remains further to be done.

14. The impugned order passed by the NCLAT is hereby set aside.

15. At this stage, Mr. Rohit, the learned counsel appeared online for one of the financial creditors who is not a party before us. If he has any other claim, he may pursue his remedy before the appropriate forum in accordance with law.

16. The learned counsel appearing for the IRP submitted that CIRP cost should be paid.

17. Mr. Pahwa, the learned Senior counsel appearing for the Corporate Debtor submitted that the requisite amount towards the claim shall be paid by his clients.

18. The appeal is disposed of in the aforesaid terms.

19. Pending applications, if any, shall also stand disposed of.

.....J  
(J.B. PARDIWALA)

.....J  
(R. MAHADEVAN)

NEW DELHI  
24TH FEBRUARY, 2025.

ITEM NO.19

COURT NO.13

SECTION XVII

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 SCivil Appeal No.2601/2025

ROMI DATTA

Appellant(s)

VERSUS

SIGMA SUPPLY CHAIN SOLUTIONS PVT. LTD. &amp; ANR.

Respondent(s)

(FOR ADMISSION IA No. 43741/2025 - STAY APPLICATION)

Date : 24-02-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE R. MAHADEVAN

For Appellant(s) :

Mr. Soayib Qureshi, AOR  
Mr. Navin Pahwa, Sr. Adv.  
Mr. Sandeep Bajaj, Adv.  
Mrs. Parijat, Adv.  
Mr. Mayank Biyani, Adv.

For Respondent(s) :

Mr. Manish Raghav , AOR  
Mr. Rhoit Gour, Adv.  
Mr. Shivaansh Shekhar Dixit, Adv.  
Ms. Aadya Mittal, Adv.Mr. Balbir Singh, Sr. Adv.  
Mr. Bipul Kedia, Adv.  
Mr. Kumar Ankur, AOR  
Mr. Karan Bindra, Adv.  
Mr. Chayan Sarkar, Adv.  
Mr. Anupam Prakash, Adv.  
Mr. Shailendra Kumar, Adv.  
Mr. Md Shakil, Adv.  
Ms. Arshnit Sandhu, Adv.UPON hearing the counsel the Court made the following  
O R D E R

1. The appeal is disposed of, in terms of the signed order.
2. Pending applications, if any, shall also stand disposed of.

(VISHAL ANAND)  
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)  
COURT MASTER (NSH)

(Signed Order is placed on the file)