

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7370/2025

HDFC BANK LIMITED

APPELLANT(S)

VERSUS

ATUL KUMAR KANSAL & ORS.

RESPONDENT(S)

O R D E R

1. The appellant, H.D.F.C. Bank Limited, is aggrieved by the order dated 08.04.2025 passed by the National Company Law Appellate Tribunal¹ at New Delhi, dismissing its Company Appeal (AT) (Insolvency) No. 549/2025.
2. The grievance of the appellant-Bank before the NCLAT was that properties which ought not to have been included in the Corporate Insolvency Resolution Process of M/s. Universal Buildwell Private Limited, the corporate debtor, were so included to its detriment. According to the appellant-Bank, the corporate debtor had sold 9 commercial units in the building constructed by it in Gurugram, Haryana, to M/s. Nayanika Holdings Pvt. Ltd., respondent No. 3, which had availed loan facilities from the appellant-Bank to facilitate such acquisition under the security of those units.
3. The appellant-Bank approached the NCLAT apprehending that the units sold to respondent No.3 would also be included in the resolution plan of the Successful Resolution Applicant², the

1 For short 'NCLAT'

2 For short 'SRA'

Consortium of Universal Aura Welfare Association, Universal Greens Buyers Association and Universal Business Park Owners Association, viz., respondent No. 2.

4. However, respondent No. 2 filed a counter affidavit before this Court wherein, at paragraph 31, it stated that the property of M/s. Nayanika Holdings Pvt. Ltd., respondent No. 3, had not been included in the resolution plan and the fact that the properties sold through conveyance deeds had been excluded from the properties of the corporate debtor had been recorded in the order of the National Company Law Tribunal, New Delhi, dated 07.03.2025.
5. We may also note that the units sold to M/s. Nayanika Holdings Pvt. Ltd., respondent No. 3, by the corporate debtor are Unit Nos. 618, 619, 620, 621, 622, 623, 624, 625 and 626 located on the 6th Floor of Universal Business Park, Sector-66, Village-Badshahpur, Gurgaon, Haryana.
6. In the light of the categorical statement made by the SRA in the counter affidavit, the apprehension of the appellant-Bank now stands settled. Recording the same, the appeal is disposed of.
7. Pending application(s), if any, shall stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(SANJEEV SACHDEVA)

NEW DELHI;
AUGUST 04, 2026.

ITEM NO.6

COURT NO.9

SECTION XVII-B

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

Civil Appeal No. 7370/2025

HDFC BANK LIMITED

Appellant(s)

VERSUS

ATUL KUMAR KANSAL & ORS.

Respondent(s)

(IA No. 142645/2025 - EX-PARTE STAY, IA No. 142644/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 142869/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 04-08-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

For Appellant(s) Mr. Dhruv Gupta, Adv.
Mr. Avi Mitra, Adv.
Mr. Kartik Sharma, Adv.
Ms. Jasveen Kaur, Adv.
Mr. Rishabh Tehlan, Adv.
Ms. Lakshmi Kg, Adv.
Ms. Tualia Rehman, Adv.
Mr. Tomy Chacko, AOR

For Respondent(s) Mr. Sumit Sinha, AOR

Mr. Kumar Mihir, AOR
Mr. Gunjan Sharma, Adv.
Dr. Priyanka, Adv.
Mr. Vivek Kumar, Adv.

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

The appeal is disposed of in terms of the signed order.

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

(BABITA PANDEY)
AR-CUM-PS

(PREETI SAXENA)
COURT MASTER (NSH)
(Signed order is placed on the file)