

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2026
[@ SPECIAL LEAVE PETITION (C) NO. 9673 OF 2022]

SARANG AVINASH KAMTEKAR

Appellant (s)

VERSUS

M/S ALPHA ORGANICS & ANR.

Respondent(s)

O R D E R

1. Leave granted.
2. I.A.No. 189076 of 2025 - application for intervention/impleadment is allowed.
3. IA No. 66500/2026, IA No. 66425/2026 and IA No. 66499/2026 for condonation of delay in filing the application for setting aside abatement is condoned, application for substitution and setting aside the abatement are allowed.
4. This appeal is filed against the impugned order dated 07.04.2022 passed by the High Court of Judicature at Bombay in Writ Petition No. 6159 of 2011.
5. The appellant before us is an Auction Purchaser and has challenged the impugned order, by which the High Court has affirmed the decision of the Debts Recovery Appellate Tribunal [DRAT] dated 27.06.2011, reversing the order passed by the Debts Recovery Tribunal [DRT] dated 26.03.2008. By the said order, the DRT dismissed the appeal filed by the respondents

- debtors against the auction sale dated 29.12.2003, as affirmed on 24.05.2004.

6. We need not dwell into the detailed facts of the case for the reason that various submissions raised by Mr. Parag Tripathi, learned senior counsel appearing for the Auction Purchaser have not been dealt with in detail by the High Court. This is perhaps for the reason that the High Court heard the Writ Petition and reserved the case for Judgment on 02.08.2018, but has delivered it after four years i.e. on 07.04.2022.

7. It is necessary to mention that the High Court will have to necessarily examine the contentions raised by the parties as regards the legality and validity of the auction sale, the subsistence of the interim order at a time when the auction was conducted and such other grounds that may be raised by the parties before the High Court.

8. In view of above, we allow the appeal and set aside the Judgment and Order passed by the High Court and restore the writ petition to its original number.

9. In view of the fact that the auction sale was conducted wayback in the year 2003, we request the High Court to take up and dispose of the writ petition expeditiously, preferably within a period of six months from today.

10. The parties are directed to maintain status quo, as on today, till the High Court disposes of the writ

petition.

11. With these observations, the Civil Appeal is disposed of.

12. Pending interlocutory application(s), if any, is/are disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

NEW DELHI;
AUGUST 11, 2026.

ITEM NO.16

COURT NO.4

SECTION IX

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

Petition(s) for Special Leave to Appeal (C) No(s). 9673/2022

[Arising out of impugned final judgment and order dated 07-04-2022 in WP No. 6159/2011 passed by the High Court of Judicature at Bombay]

SARANG AVINASH KAMTEKAR

Petitioner(s)

VERSUS

M/S ALPHA ORGANICS & ANR.

Respondent(s)

IA No. 66500/2026 - APPLICATION FOR CONDONATION OF DELAY IN FILING
THE APPLICATION FOR SETTING ASIDE THE ABATEMENT
IA No. 66425/2026 - APPLICATION FOR SUBSTITUTION
IA No. 324124/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 77521/2022 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 77518/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 189076/2025 - INTERVENTION APPLICATION
IA No. 77520/2022 - PERMISSION TO FILE LENGTHY LIST OF DATES
IA No. 66499/2026 - SETTING ASIDE AN ABATEMENT

Date : 11-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) : Mr. Parag P. Tripathi, Sr. Adv.
Mr. Mayank Kshirsagar, AOR
Ms. Kaveri Rawat, Adv.
Mr. Shikhar Rai, Adv.
Ms. Pavani Verma, Adv.
Ms. Anumita Verma, Adv.
Ms. Megha Bhati, Adv.
Mr. Akhilesh Yadav, Adv.

For Respondent(s) : Mr. Pramit Saxena, AOR

Mrs. Bela Maheshwari, AOR
Mr. Vadlamani Seshagiri, Adv.
Ms. Christy Nameirakpam, Adv.
Mr. Ananya Kukreti, Adv.
Mr. Sarvesh Kumar Yadav, Adv.
Ms. Deepanshi Kaushik, Adv.

Ms. Ganu Suvarna Siddhanath, AOR

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

1. Leave granted.
2. The civil appeal is disposed of in terms of the signed order.
3. Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(NIDHI WASON)
ASSISTANT REGISTRAR

(Signed order is placed on the file)