Verified & admitted claims by the Resolution Professional can't be treated as "belated" to deny substantive relief to homebuyers/ bona fide allottees under a resolution plan

The Supreme Court in the case of **Amit Nehra vs Pawan Kumar Garg [2025 INSC 1086] dated September 09, 2025**, has held that once a claim is verified and admitted by the Resolution Professional (RP), it cannot be treated as "belated" to deny substantive relief under a resolution plan. The Court also held that the verified and admitted claims could not be downgraded to 'unverified' merely because of delayed filing, especially when such treatment had wrongly denied flat possession and confined the homebuyers to a partial refund despite having paid substantial consideration.

The Apex Court found that the present case is not related to entertaining a fresh claim beyond the Resolution Plan, and rather concerns an allottee whose claim was verified and admitted by the Resolution Professional and reflected in the list of financial creditors well before approval of the Plan by the Adjudicating Authority. Relegating bona fide allottees, who have paid substantial consideration years in advance, to the status of mere refund claimants runs contrary to the very object of the legislative framework, and denying them possession would inflict unfair treatment.

Click on the link to read the original judgment