

ITEM NO.24

COURT NO.1

SECTION XVII-A

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 No(s).10856/2016

BHUPINDER SINGH

Appellant(s)

VERSUS

UNITECH LTD.

Respondent(s)

(WITH IA No. 73548/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 77813/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 77795/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 141664/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 77802/2022 - INTERVENTION APPLICATION, IA No. 77794/2022 - INTERVENTION APPLICATION, IA No. 83191/2023 - INTERVENTION APPLICATION, IA No. 141680/2023 - INTERVENTION/IMPLEADMENT, IA No. 178886/2023 - UNDER SECTION 151 OF CPC)

WITH

SLP(C) No. 9572/2007 (XI)

(WITH IA No. 162939/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 35051/2019 - CLARIFICATION/DIRECTION, IA No. 12/2013 - EXEMPTION FROM FILING O.T., IA No. 118081/2019 - INTERVENTION APPLICATION, IA No. 11/2013 - PERMISSION TO FILE ANNEXURES, IA No. 10/2013 - PERMISSION TO FILE ANNEXURES, IA No. 9/2011 - PERMISSION TO FILE ANNEXURES, IA No. 13/2016 - PERMISSION TO FILE ANNEXURES)

SLP(CrI) No. 5978-5979/2017 (II-C)

(WITH IA No. 101560/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 7750/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 85172/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 101566/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 101563/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 101561/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 118046/2018 - CLARIFICATION/DIRECTION IA No. 83361/2020 - INTERVENTION APPLICATION)

C.A. No. 2496-2497/2020 (XVII-A)

(WITH IA No. 103106/2020 - APPROPRIATE ORDERS/DIRECTIONS)

C.A. No. 9391-9404/2017 (XVII-A)

(WITH IA No. 62370/2023 - APPLICATION FOR PERMISSION, IA No. 96103/2023 - APPLICATION FOR PERMISSION, IA No. 62339/2023 - APPLICATION FOR PERMISSION, IA No. 62372/2023 - EXEMPTION FROM FILING ANNEXURES, IA No. 62342/2023 - EXEMPTION FROM FILING

ANNEXTURES, IA No. 67730/2023 - EXEMPTION FROM FILING ANNEXTURES  
 IA No. 66220/2023 - EXEMPTION FROM FILING ANNEXTURES, IA No.  
 66198/2023 - REFUND OF COST/Court Fee, IA No. 96100/2023 - REFUND  
 OF COST/Court Fee, IA No. 67725/2023 - REFUND OF COST/Court Fee)

Date : 09-10-2023 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
 HON'BLE MR. JUSTICE J.B. PARDIWALA  
 HON'BLE MR. JUSTICE MANOJ MISRA

[TO BE TAKEN UP AT 2.00 P.M.] Only the following advocates are to be shown; Deepak Goel, Pawanshree Agrawal, (A.C), Anubha Agrawal, Binay Kumar Das, Sahil Tagotra, D. Abhinav Rao, Rachana Joshi Issar, Vinod Kumar Tiwari, Abhay Anand Jena, T. R. B. Sivakumar, Mohit D. Ram, Ms. Ranjeeta Rohatgi, B. V. Balaram Das, Pritha Srikumar, Charu Ambwani, Hima Lawrence, Aarthi Rajan, Rachna Gupta and Govind Jee

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Mr. Arvind Kumar, Adv.  
Mr. Mukesh Kumar Verma, Adv.  
Mr. Mata Prasad Pathak, Adv.  
Ms. Monica Haseja, Adv.  
Mr. Dinesh Malik, Adv.  
Mr. Nikhil Kumar, Adv.

Dr. Sumant Bharadwaj, Adv.  
Ms. Mridula Ray Bharadwaj, AOR  
Mr. Vedant Bharadwaj, Adv.  
Mr. D.P. Shahi, Adv.  
Dr. Manoj Kumar, Adv.  
Mr. Shreyansa Jain, Adv.

Dr. Vinod Kumar Tewari, AOR



Mr. Pramod Tiwari, Adv.  
Mr. Vivek Tiwari, Adv.  
Ms. Priyanka Dubey, Adv.  
Mr. Bhoopesh, Adv.  
Ms. Archana Pandey, Adv.

Mr. Awanish Kumar, AOR  
Mr. Aldanish Rein, AOR  
Mr. Kaustubh Anshuraj, AOR  
Mr. Krishna Kumar Singh, AOR

Mr. Ashwarya Sinha, AOR  
Ms. Priyanka Sinha, Adv.  
Mr. Aditya Malhotra, Adv.  
Ms. Surbhi Kumari, Adv.

Mr. Dharmendra Kumar Sinha, AOR  
Mr. Partha Sil, AOR  
Ms. Upasana Nath, AOR  
Ms. Rashmi Nandakumar, AOR

Mr. Anukul Raj, Adv.  
Mrs. Nikita Raj, Adv.  
Mr. Tushar Bhalla, Adv.  
Mr. Shantanu Krishna, AOR

Ms. Jyoti Mendiratta, AOR

Mr. Kaushik Choudhury, AOR  
Mr. Saksham Garg, Adv.  
Mr. Jyotirmoy Chatterjee, Adv.  
Mr. Jytirmoy Chatterjee, Adv.

Mr. Chitranshul A. Sinha, Adv.  
Mr. Jaskaran Singh Bhatia, Adv.  
M/S. Dua Associates, AOR

Mr. Ayush Sharma, AOR  
Mr. Vaibhav Kumar, AOR  
Mr. Aneesh Mittal, AOR

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

- 1 During the course of hearing, Mr N Venkataraman, Additional Solicitor General has placed a note dated 9 October 2023 prepared at the behest of the

Government appointed Board of Directors of Unitech Limited on the proposed way forward. The note, inter alia, sets out the steps which have been taken in consultation with Justice AM Sapre. Before finalising the proposal for floating of tenders and for approval of the revised payment plan for the home buyers, there has been a request from the home buyers including Mr ML Lahoty, counsel who represents a large group of them, that the note and the IA No 205642 filed by the Board of Directors may be uploaded on the website of Unitech Limited so as to enable all concerned stakeholders to obtain information about the nature of the proposal.

- 2 The Additional Solicitor General states that there is no objection in doing so.
- 3 The Board of Directors of Unitech Limited shall accordingly upload on the website the note which has been placed before the Court together with the IA and the underlining documents. Thereafter, if any stakeholder has any suggestion or submissions, they may be emailed to Ms Anubha Agrawal, counsel instructing the Additional Solicitor General. This will include any suggestion or submission which Mr Ravindra Kumar, senior counsel appearing on behalf of NOIDA and Greater NOIDA may have in regard to the proposal.
- 4 We shall take up further hearing of the IA and issue suitable directions to facilitate commencement of construction on next date of listing.
- 5 In the meantime, we direct that the authorities before whom applications have been filed by the Board of Directors for the grant of environmental clearances shall process the applications in accordance with law and shall complete the exercise within a period of four weeks. NOIDA shall continue to process the plans

which have already been submitted in terms of the directions which have been issued on 1 February 2023.

- 6 If any further cases pertaining to refund to home buyers or, as the case may be, to fixed deposit holders or employees on medical grounds remain to be considered, they shall be placed before Justice AM Sapre in terms of the modalities which have already been chalked out.
- 7 Issue notice to Col. Mohinder Singh Khera and Naresh Kempanna returnable in three weeks on contempt of the order dated 23 March 2023.
- 8 List the following on 30 October 2023 :
  - (i) IA No 205642 of 2023 in Civil Appeal No 10856 of 2016; and
  - (ii) Special Leave Petition (Civil) No 9572 of 2007.

**(GULSHAN KUMAR ARORA)**  
**DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)**  
**ASSISTANT REGISTRAR**