ITEM NO.15

COURT NO.1

SECTION XVII-A

#### SUPREME COURT OF INDIA RECORD OF PROCEEDINGS

#### Civil Appeal No(s).10856/2016

**BHUPINDER SINGH** 

Appellant(s)

VERSUS

UNITECH LTD.

Respondent(s)

(WITH IA NO. 79922/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA NO. 79918/2020 -INTERVENTION APPLICATION, IA No. 193610/2019 INTERVENTION/IMPLEADMENT, IA No. 265325/2023 - PERMISSION TO ADD FURTHER ADDITIONAL PRAYERS IN THE APPLICATION FOR DIRECTION, IA NO. PERMISSION FILE 176991/2023 T0 ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 178886/2023 - UNDER SECTION 151 OF CPC)

WITH SLP(Crl) No. 5978-5979/2017 (II-C) (WITH IA No. 115357/2022 - APPROPRIATE ORDERS/DIRECTIONS) C.A. No. 2496-2497/2020 (XVII-A) (WITH IA No. 103106/2020 - APPROPRIATE ORDERS/DIRECTIONS) Date : 26-04-2024 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 J.B. PARDIWALA HON'BLE MR. JUSTICE MANOJ MISRA Mr. Pawanshree Agrawal, AOR (Amicus Curiae) Mr. Varun K. Chopra, Adv. For Appellant(s) Mr. N Venkataraman, A.S.G. Ms. Anubha Agrawal, AOR

> Mr. Deepak Goel, AOR Ms. Alka Goyal, Adv.

Ms. Harshita Maheshwari, Adv.

Ms. Urvashi Sharma, Adv.

Ms. Archana Preeti Gupta, Adv.

Ms. Ranjeeta Rohatgi, AOR

1

Mr. Anuroop Chakravarti, Adv. Mr. Shikhil Shiv Suri, Sr. Adv. Mrs. Madhu Suri, Adv. Ms. Jyoti Suri, Adv. Ms. Vidushi Jain, Adv. Ms. Wamika Chadha, Adv. Ms. Vidhi Kapoor, Adv. Ms. Ishita Ahuja, Adv. Mr. T. R. B. Sivakumar, AOR For Respondent(s) Mr. N Venkataraman, A.S.G. Ms. Anubha Agrawal, AOR Mr. Suryaprakash V Raju, A.S.G. Mr. K.M. Nataraj, A.S.G. Mr. Mukesh Kumar Maroria, AOR Mrs. Suhasini Sen, Adv. Mr. Vishesh Kalra, Adv. Mr. T.A. Khan, Adv. Ms. Nidhi Khanna, Adv. Ms. Chinmayee Chandra, Adv. Ms. Shraddha Deshmukh, Adv. Mr. Siddhant Kohli, Adv. Mr. Anuj Srinivas Udupa, Adv. Mr. Annirudh Sharma II, Adv. Mr. Zoheb Hussain, Adv. Mr. Vikramjit Bannerjee, A.S.G. Mr. K M Nataraj, A.S.G. Mr. Rupesh Kumar, Sr. Adv. Mr. Ayush Puri, Adv. Mr. Raj Bahadur Yadav, AOR Mrs. Praveena Gautam, Adv. Mr. Sughosh Subramanium, Adv. Mrs. Ruchi Kohli, Adv. Mrs. Alka Agarwal, Adv. Mr. Siddhant Kohli, Adv. Mr. Digvijay Dam, Adv. Mrs. Nidhi Khanna, Adv. Mr. Raman Yadav, Adv. Mr. Santosh Kumar, Adv. Mr. Vikramjit Banerjee, A.S.G. Ms. Shraddha Deshmukh, Adv. Mr. Siddhant Kohli, Adv. Mr. Rajan Kumar Chourasia, Adv. Mr. Amrish Kumar, Adv.

Mr. Chinmayee Chandra, Adv. Mrs. Nidhi Khanna, Adv. Mr. Ishaan Sharma, Adv. Mr. Arvind Kumar Sharma, AOR Mr. Lokesh Sinhal, Sr. A.A.G. Mr. B.K. Satija, A.A.G. Mr. Samar Vijay Singh, AOR Mr. Nikunj Gupta, Adv. Ms. Himanshi Sakhya, Adv. Mr. Keshav Mittal, Adv. Ms. Sabarni Som, Adv. Mr. Fateh Singh, Adv. Mr. Vivek Kumar, Adv. Mr. Mahabir Singh, Adv. Ms. Shashi Singh, Adv. Mr. Shanti Ranjan, Adv. Ms. Bhavishya Ranjan, Adv. Mr. Mohit D. Ram, AOR Mr. Bhagirath N.patel, Adv. Mr. Anubhav Sharma, Adv. Mr. Nikhil Nayyar, Sr. Adv. Ms. Pritha Srikumar Iyer, AOR Mr. Naveen Hegde, Adv. Ms. Mansi Binjrajka, Adv. Mr. Brijesh Kumar Tamber, AOR Mr. Aman Bhatnagar, Adv. Ms. Pranjali Arya, Adv. Mr. Sumit R. Sharma, AOR Mr. Rajesh Kumar Chaurasia, AOR Mr. Sujeet Kumar, Adv. Mr. Anurag Jain, Adv. Mr. Rajan Kumar Chourasia, Adv. Ms. Jasmine Damkewala, AOR Mr. Sidhartha Barua, Adv. Mr. Praful Jindal, Adv. Ms. Vaishali Sharma, Adv. Mr. Manish Kumar Gupta, AOR Mr. Sarad Kumar Singhania, AOR Mr. Sumit Kumar Sharma, Adv.

Ms. Shehla Chaudhary, Adv. Mr. Md. Anas Chaudhary, Adv. Mr. Mohd. Sharyab Ali, Adv. Mr. Ansar Ahmad Chaudhary, AOR Ms. Madhusmita Bora, AOR Mr. Pawan Kishore Singh, Adv. Mr. Dipankar Singh, Adv. M/S. Juris Corp., AOR Mrs. Rachna Gupta, AOR Mr. Anil Kumar Sinha, Adv. Mr. Vaibhav Tiwari, Adv. Mr. Shivam Kumar, Adv. Mr. Karuppaiah Meyyappan, Adv. Mr. Raghunatha Sethupathy B, AOR Ms. Kanika Kalaiyarasan, Adv. Mr. S. Sabari Bala Pandian, Adv. Mr. Abhishek Kalaiyarasan, Adv. Ms. Aswathi M.k., AOR Mr. Gaurav Goel, AOR Mr. Jay Kishor Singh, AOR Mr. Arjun Harkauli, AOR Mr. Chandan Kumar, AOR Mr. Soumya Dutta, AOR Mr. R K Pandey, Adv. Mr. Atul Sharma, AOR Ms. Sunieta Ojha, AOR Mr. Preshit Vilas Surshe, AOR Mr. P. V. Yogeswaran, AOR Mr. Atul Kumar, AOR Mr. Pranav Kumar, AOR Mr. Neeraj Kumar Gupta, AOR Mr. Hrishikesh Baruah, AOR Ms. Sunieta Ojha, AOR Mr. Shankar Divate, AOR Mr. L B Rai, Adv. Mr. Kartik Rai, Adv. Ms. Anshula Vijay Kumar Grover, AOR Ms. Asiya Khan , AOR Mr. Amit Sharma, AOR

Mr. R. C. Kaushik, AOR Mr. Ujjwal A. Rana, Adv. Mr. Himanshu Mehta, Adv. M/S. Gagrat And Co, AOR Mr. S. Udaya Kumar Sagar, AOR Mr. Tarun Gupta, AOR Mrs. B. Sunita Rao, AOR Mr. Sumit Kumar, AOR Mr. A. Radhakrishnan, AOR Ms. Celeste Agarwal, AOR Mr. Mohan Babu Agarwal, Adv. Mrs. Akansha Agarwal, Adv. Mrs. Geetha Kovilan, AOR Mr. Utkarsh Sharma, AOR Mr. Romy Chacko, AOR Mr. Ravindra Kumar, Sr. Adv. Mr. Binay Kumar Das, AOR Ms. Priyanka Das, Adv. Ms. Neha Das, Adv. Mr. Shivam Saksena, Adv. Ms. Charu Mathur, AOR Ms. S. Ramamani, AOR Mr. Mandeep Kalra , AOR Mr. Navneet R., AOR Mr. Jatin Bansal, Adv. M/S. Kmnp Law Aor, AOR Mr. Rameshwar Prasad Goyal, AOR Mr. Anubhav, Adv. Mr. Yashwant Singh Yadav, Adv. Mr. Vijay Pal, Adv. Mr. Raj Vir Singh, Adv. Mr. Umang Tripathi, Adv. Mr. Dusmanta Kumar Pradhan, Adv. Mr. Arvind, Adv. Mr. Anil Kumar, Adv. Mr. Vishnu Dutt Sharma, Adv. Mr. D.v. Rao, Adv. Mr. Mahendra Singh, Adv. Mrs. Namrata Trivedi, Adv.

Mr. Shivkumar Raghunath Golwalkar, Adv. Mr. Ravindra Bana, AOR Mr. Aakarsh Kamra, AOR Mr. M. R. Shamshad, AOR Mr. S. R. Setia, AOR Mr. Vikram Singh, AOR Mr. Vikrant Pachnanda, AOR Dr. Vinod Kumar Tewari, AOR Mr. Pramod Tiwari, Adv. Mr. Vivek Tiwari, Adv. Ms. Priyanka Dubey, Adv. Mr. Arun Kumar Shukla, Adv. Mr. Sk Warish Ali, Adv. Mr. Abhishek Tiwari, Adv. Mr. Mohit Paul, AOR Mr. C. K. Sasi, AOR Ms. Meena K Poulose, Adv. Ms. Anupriya, Adv. Mr. Sushil Kumar Singh, AOR Ms. Mithu Jain, AOR Mr. Rohit Kumar Singh, AOR Mr. Sumant De, Adv. Ms. Jahanvi Worah, Adv. Ms. Shweta Priyadarshini, Adv. Mr. Shubham V. Gawande, Adv. Mr. Chandani Arora, Adv. Mr. Rajat Oswal, Adv. Dr. Manoj Gorkela, Adv. Mr. Vinayak Sonkar, Adv. Mr. Adutiya Veer, Adv. Mr. Varun Kumar, Adv. M/S. Gorkela Law Office, AOR Ms. Shriya Maini, AOR Mr. Rajive Maini, Adv. Mr. Yadav Narender Singh, AOR Mr. K. K. Mohan, AOR Mr. Omprakash Ajitsingh Parihar, AOR

Mr. Dushyant Tiwari, Adv. Mr. Praveen Bhatiya, Adv. Mr. Arbind Kumar, Adv. Ms. Khushboo Tomar, Adv. Mr. Nishit Agrawal, AOR Mr. Mayank Goel, AOR Mr. Anirudh Sharma, AOR Mr. Akshat Kumar, AOR Mr. D.K. Rustagi, Adv. Mr. Sriram P., AOR Mr. Braj Kishore Mishra, AOR Mr. Abhishek Yadav, Adv. Mr. Ruchit Mohan, Adv. Mr. Ajay Kumar Srivastava, Adv. Ms. Mini Kishore, Adv. Mr. Priyadarshi Kumar, Adv. Mr. Arvind Gupta, AOR Ms. Priyanjali Singh, AOR Mr. Ashwani Kumar, AOR M/S. Udit Kishan And Associates, AOR Mr. Syed Jafar Alam, AOR Mr. Akshat Shrivastava, AOR Mr. Satinder Gulati, Adv. Mr. Raj Kishor Choudhary, AOR Mr. Mohit Gupta, Adv. Mr. P. Chidambaram, Sr. Adv. Ms. Vrinda Bhandari, AOR Mr. Akshat Gupta, Adv. Mr. Pranav Jain, Adv. Mr. Arun Batta, Adv. Mr. Rohan Sharma, Adv. Mr. Shivendra Singh, AOR Mr. Bikram Dwivedi, Adv. Ms. Sampriti Baksi, Adv. Mr. Puneett Singhal, Adv. Mr. Sanjeev Chaudhary, Adv.

Mr. Umang Shankar, AOR

Ms. Kamakshi S. Mehlwal, AOR Mr. Abhik Kumar, Adv. Ms. Geetanjali Mehlwal, Adv. Mr. Deepak Girdhar, Adv. Mr. Sanveer Mehlwal, Adv. Ms. Deepa Joseph, Adv. Mr. Vikas Mehta, AOR Mr. Sanjay Jain, AOR Mr. Siddhartha Jha, AOR Mr. Roshan Santhalia, AOR Ms. Harsh Lata, AOR Ms. Gargi Bhatta Bharali, Adv. Mr. Sharadendu Dwivedi, Adv. Mr. Gurtinder Singh, Adv. Mr. Rs Jolly, Adv. Ms. Sangita, Adv. Ms. Laxmi Kumari, Adv. Mr. Vivek Singh, AOR Mr. Neeraj Shekhar, AOR Mr. Sudhansu Palo, AOR Mrs. Damyanti Juneja, Adv. Mr. Rakesh Kumar Palo, Adv. Dr. Joginder Singh Berwal, Adv. Petitioner-in-person Mr. D. S. Chauhan, AOR Mr. Abhay Anand Jena, AOR Ms. Pallavi Langar, AOR Mr. Manoj C. Mishra, AOR Mr. Nitesh Ranjan, AOR Mr. Ajay Jain, Adv. Mr. Jinendra Jain, AOR Mr. Krishna Sharma, Adv. Ms. Bijay Lakshmi, Adv. Mr. Mn Mishra, Adv. Mr. Akshat Jain, Adv. Mr. Vikrant Singh, Adv. Ms. Ridhi Arora, Adv.

Mr. Shantanu Sagar, AOR Mr. Prabhat Ranjan Raj, Adv. Mrs. Divya Mishra, Adv. Mr. Anil Kumar, Adv. Mr. Gunjesh Ranjan, Adv. Mr. Vaibhav Jain, Adv. Mr. Sonal Jain, AOR Ms. Filza Moonis, AOR Mr. Rajiv Ranjan Dwivedi, AOR Mr. Somesh Chandra Jha, AOR Mr. Ashwani Kumar Dubey, AOR Mr. Sachin Kumar Tokas, Adv. Mr. Sumit Kuckreja, Adv. Mr. Chandra Shekhar, Adv. Mr. Dipesh Sinha , AOR Mr. Deepak Nargolkar, Sr. Adv. Mr. Karan Thakur, Adv. Mr. Anant Kumar Vatsya, Adv. Mr. Ashish Sheoran, Adv. Mr. Vijay Kumar Singh, Adv. Mr. Ajay Nain, Adv. Mr. Vivek Mishra, Adv. Mr. Devendra Singh, AOR Mr. Vipin Kumar Jai, AOR Mr. Nikilesh Ramachandran, AOR Mr. Gaurav Goel, AOR Mr. Arvind Kumar Tewari, AOR Mr. Sudhir Mahajan, Adv. Mr. Ajit Kumar Ekka, AOR Mr. Sumit Kishore, Adv. Mr. Sandeep Malik, Adv. Mr. Tishampati Sen, Adv. Ms. Riddhi Sancheti, AOR Mr. Anurag Anand, Adv. Mr. Mukul Kulhari, Adv. Ms. Malvika Kapila, AOR

Mr. Abhay Singh, AOR Mrs. Ankita Agarwal, Adv. Mr. Rahul Kaushik, AOR Mr. Abhinav Shrivastava, AOR Mr. Vineet Bhagat, AOR Ms. Jaikriti S. Jadeja, AOR Mr. Ashwani Garg, Adv. Mr. Sameer Garg, Adv. Mr. Vijay Kumar, AOR Mrs. Gargi Khanna, AOR Mr. C. K. Sasi, AOR Ms. Meena K Poulose, Adv. Ms. Anupriya, Adv. Mrs. Rachna Gupta, AOR Mr. Anil Kumar Sinha, Adv. Mr. Vaibhav Tiwari, Adv. Mr. Shivam Kumar, Adv. Dr. Sushil Balwada, AOR Mr. Shashank Manish, AOR Ms. Nidhi Sahay, Adv. Ms. Manju Jetley, AOR Mr. V. K. Monga, AOR Mr. Dhruv Tamta, AOR Mr. Amit Shrivastava, AOR Mr. Dhruv Surana, Adv. Mr. Rohit Amit Sthalekar, AOR Mr. Purnendu Bajpai, Adv. Mr. Shashank Singh, Adv. Mr. Rakhi Poornyam Sahijpal, Adv. Ms. Uditha Chakravarthy, Adv. Ms. Shalaka Srivastava, Adv. Mr. Ankur S. Kulkarni, AOR Mr. Shantwanu Singh, AOR

Ms. Pragya Singh, Adv. Mr. Akshay Singh, Adv. Mr. Rahul Dubey, Adv. Mr. Sunny Singh, Adv. Mr. A.N.S. Nadkarni, Sr. Adv. Mr. Salvador Santosh Rebello, AOR Mr. Raghav Sharma, Adv. Mr. Jaskirat Pal Singh, Adv. Ms. Kritika Grover, Adv. Mr. Prateek Tanmay, Adv. Ms. Manisha Gupta, Adv. Mr. Deepanshu Raj, Adv. Mr. Rishikesh Haridas, Adv. Ms. Arzu Paul, Adv. Mr. Rajesh Kumar, AOR Mr. Gyan Prakash Srivastava, AOR Mr. Divyesh Pratap Singh, AOR Mr. M. Yogesh Kanna, AOR Mr. Siddharth Bhatnagar, Sr. Adv. Mr. Ashok Kumar Jain, Adv. Mr. Pankaj Jain, Adv. Mrs. Meenakshi Jain, Adv. Mr. Bijoy Kumar Jain, AOR Mr. Udayaditya Banerjee, AOR Ms. Rashi Bansal, AOR Mr. Divyesh Pratap Singh, AOR Mr. E. C. Agrawala, AOR Mr. Milind Kumar, AOR Mr. Abhinay, AOR Mrs. Pragya Baghel, AOR Mr. Atishi Dipankar, AOR Mr. Sudhir Kulshreshtha, AOR Mr. Aman Gupta, AOR Mr. Vikas Kumar, AOR Mr. Sangam Panghal, Adv. Mr. Pranjal Shrivastava, Adv. Mr. Arun Kumar, Adv. Mr. P. K. Jain, AOR Mr. Nikhil Swami, AOR Mr. Avinash Sharma, AOR Ms. Akanksha Kapoor, Adv.

Mr. Prateek Bhardwaj, Adv. Mr. Shane Ilahi Asif Ali Turkey, Adv. Mrs. Anil Katiyar, AOR Ms. Bharti Tyaqi, AOR Mr. S. D. Singh, Adv. Mr. Jitender Singh, Adv. Ms. Meenu Singh, Adv. Mr. Ram Kripal Singh, Adv. Mr. Siddharth Singh, Adv. Ms. Priya Hingorani, Sr. Adv. Dr. Aman Hingorani, Sr. Adv. Mr. Chandra Bhushan Prasad, AOR Ms. Shweta Hingorani, Adv. Mr. Naseem Ahmed, Adv. Ms. Vasundhara N., Adv. Mr. Abhishek Agarwal, AOR Mr. Abhishek Kumar Singh, AOR Mr. Rajiv Kumar Choudhry, AOR Mr. Abhisth Kumar, AOR Mr. Kirat Singh Nara, Adv. Mr. Kartik Yadav, Adv. Mr. Parinay Vasandani, Adv. Mr. Manhar Singh Saini, Adv. Mr. Chandra Prakash, Adv. For M/S. D.S.K. Legal Mr. B. Krishna Prasad, AOR Mr. Kaustubh Shukla, AOR M/S. K J John And Co, AOR Mr. Bharat Bhushan, AOR Ms. Amrita Sarkar , AOR Mr. Mukul Lather, Adv. Mr. Vasantha Kumar Kulandaivelu, Adv. Mr. Devendra Singh, AOR Ms. Vijaya Singh, Adv. Mr. Anand Pratap Singh, Adv. Mr. Prem Prakash, AOR Mr. Rakesh Mittal, Adv. Ms. Yamini Mittal, Adv.

Mr. D. Abhinav Rao, AOR Mr. Ajay Harshana, Adv. Mr. Abhay Kumar, AOR Applicant-in-person Mr. M. P. Devanath, AOR Mr. Vikram Hegde, Adv. Ms. Hima Lawrence, AOR Mr. Abhinav Hansaraman, Adv. Ms. Rashi Bansal, AOR Mr. Mohit D. Ram, AOR Mr. Bhagirath N.patel, Adv. Mr. Anubhav Sharma, Adv. Mr. Ilin Saraswat, Adv. Ms. Ilma Saifi, Adv. Mr. Ajay Prakash, Adv. Mrs. Poonam Seth, Adv. Mr. M. M. Kashyap, AOR Mr. Kumar Mihir, AOR Mr. Vivek Kumar, Adv. Mr. Harshal Kumar, Adv. Ms. Priyanka, Adv. Mr. Gunjan Sharma, Adv. Mr. Rajesh Kumar Chaurasia, AOR Mr. Sujeet Kumar, Adv. Mr. Anurag Jain, Adv. Mr. Rajan Kumar Chourasia, Adv. Ms. Shruti Agarwal, AOR Mr. Tushar Singh, AOR Mr. Vikram Hegde, Adv. Ms. Hima Lawrence, AOR Mr. Abhinav Hansaraman, Adv. Mr. Shwetabh Sinha, Adv. Mr. Sidhant Pandita, Adv. Mrs. Vatsala Pandey, Adv. Mr. Ujjal Banerjee, AOR

Ms. Tulika Mukherjee, AOR Mr. Siddhartha Sinha , AOR Mr. Jeetender Gupta, AOR Mr. Shree Prakash Sinha, Adv. Mr. Rakesh Mishra, Adv. Ms. Mohua Sinha, Adv. Mr. Nawalendra Kumar, Adv. Ms. Shwetam, Adv. Mr. Rishabh Kumar, Adv. Mr. Shekhar Kumar, AOR Mr. Gaurav Sharma, AOR Mr. T. N. Singh, AOR Mr. Kaushik Poddar, AOR Mr. Abhay Singh Mallik, Adv. Ms. Sapna Kaushik, Adv. Mr. Pranav Raina, Adv. Ms. Manjula Gupta, AOR Mr. S. K. Verma, AOR Mr. Rajat Sehgal, AOR Mr. Karan Bharihoke, AOR Mr. Shekhar G Devasa, Adv. Mr. Manish Tiwari, Adv. Ms. Thashmitha Muthanna, Adv. Mr. Shashi Bhushan Nagar, Adv. Mr. Vishwanath Chaturvedi, Adv. For M/S. Devasa & Co., AOR Ms. Meera Mathur, AOR Mr. Braj Kishore Mishra, AOR Mr. Abhishek Yadav, Adv. Mr. Ruchit Mohan, Adv. Mr. Ajay Kumar Srivastava, Adv. Ms. Mini Kishore, Adv. Mr. Priyadarshi Kumar, Adv. Mr. Sunil Fernandes, AOR Mr. Ravi Panwar, AOR Ms. Astha Tyagi, AOR Ms. Mrinal Gopal Elker, AOR Ms. Awantika Manohar, AOR M/S. Tas Law, AOR

Mr. Abhay Singh Mallik, Adv. Ms. Sapna Kaushik, Adv. Mr. Pranav Raina, Adv. Ms. Manjula Gupta, AOR Mr. Rajeev Singh, AOR Mr. Praveen Agrawal, AOR Mr. Sanjay Parikh, Sr. Adv. Mr. Pukhrambam Ramesh Kumar, AOR Mr. Karun Sharma, Adv. Ms. Anupama Ngangom, Adv. Ms. Rajkumari Divyasana, Adv. Mr. R.rajaselvan, Adv. Mr. Prithvi Pal, AOR Ms. Divya Roy, AOR Mr. Vivek Gupta, AOR Mr. Gp. Capt. Karan Singh Bhati, AOR Mr. Archit Upadhayay, AOR Ms. Shwetal Shepal, Adv. Mr. Siddharth Dharmadhikari, Adv. Mr. Aaditya Aniruddha Pande, AOR Mr. Bharat Bagla, Adv. Mr. Sourav Singh, Adv. Mr. Aditya Krishna, Adv. Ms. Preet S. Phanse, Adv. Mr. Adarsh Dubey, Adv. Mr. M. P. Vinod, AOR Mr. Rajiv Mehta, AOR Mr. Anmol, Adv. M/s. Karanjawala & Co., AOR Mr. Aman Raj Gandhi, AOR Mr. Amit Agrawal, AOR Mr. Arup Banerjee, AOR Mr. Priyanshu Raj., Adv. Mr. Sanjeev Sharma., Adv. Mr. Prakash Sharma., Adv. Mr. R.K.Dey., Adv. Mr. Rupak Shrivastava., Adv. Mr. Rajiv Agnihotri., Adv.

Mr. Vishal Arun, AOR

Mr. P. R. Rajhans, Adv. Mr. Jyoti Kumar Singh, Adv. Mr. Janmejay Verma, Adv. Mrs. Sampa Sengupta Ray, Adv. Mr. Dileep Kumar Dubey, Adv. Mr. Amarnath Gupta, Adv. Mr. Navin Kumar Singh, Adv. Mr. Basava Prabhu S Patil, Sr. Adv. Mr. Samir Malik, AOR Mr. Akash Lamba, Adv. Mr. Nikita Choukse, Adv. Mr. Kausar Raza Faridi, AOR Mr. Gopal Jha, AOR Ms. Sujata Kurdukar, AOR Mr. Akshat Shrivastava, AOR Mr. Ranjit Kumar Sharma, AOR Ms. Charu Mathur, AOR Ms. Madhurima Tatia, AOR Mr. Rajendra Mal Tatia, Adv. Mr. Siddharth Batra, AOR Mr. Arjun Singh Bhati, AOR Ms. Mumtaz Bhalla, AOR Ms. Prapti Allagh, Adv. Mr. A. Karthik, AOR Mr. Raj Kamal, AOR Mr. Nitin Saluja, AOR Mr. Sandeep Devashish Das, AOR Mr. Rajan Chawla, AOR Ms. Neha Sharma, AOR Mr. Yashraj Singh Bundela, AOR Mr. Shashwat Parihar, Adv. Mrs. Pratima Singh, Adv. Mr. Surjeet Singh, Adv. Mr. Pawan, Adv. Mr. Chanakya Baruah, Adv. Mr. Abhijeet Aryan, Adv.

Dr. Surender Singh Hooda, AOR

Mr. Abdul Azeem Kalebudde, AOR Mr. Ray Vikram Nath, Adv. Mrs. Taherabi Kalebudde, Adv. Mrs. Kirti Renu Mishra, AOR M/S. Cyril Amarchand Mangaldas Aor, AOR Ms. Nidhi Mohan Parashar, AOR Mr. Shashibhushan P. Adgaonkar, AOR M/S. Av Global Chambers, AOR Mr. Aditya Singh, AOR Ms. Shagun Matta, AOR Mr. Prashant Vaxish, Adv. Ms. Manisha Ambwani, AOR Mr. Kumar Dushyant Singh, AOR Mr. Shakti Singh Dhakray, Adv. Mr. Rohit Sharma, Adv. Mr. Rahul Ranjan, Adv. Ms. Misha Rohatgi, AOR Mr. Nakul Mohta, Adv. Ms. Vidhi Gupta, Adv. Mr. Ayush Kashyap, Adv. Mr. P R Ramasesh, Adv. Mr. Sanuj Das, Adv. Mr. Ankolekar Gurudatta, AOR Mr. Shiv Kumar, Adv. Mr. Korada Pramod Kumar, Adv. Mr. Arvind Srevasta, Adv. Mr. S. Santanam Swaminadhan, Adv. Ms. Abhilasha Shrawat, Adv. Mr. Kartik Malhotra, Adv. Mr. Darsh Bansal, Adv. Mr. Anindit Mandal, Adv. Mrs. Aarthi Rajan, AOR Mr. Raja Chatterjee, Adv. Mr. Piyush Sachdev, Adv. Mr. Idrish, Adv. Ms. Anupama Gupta, Adv. Ms. Riya Dutta, Adv. Ms. Sana Parveen, Adv. Mr. Adeel Ahmed, AOR Mr. Md Gouse Muddin Khan, Adv.

Ms. Anushri Singh, Adv. Ms. Rashmi Singh, AOR Mr. Sanyat Lodha, AOR Ms. Ritu Rajkumari, Adv. Mr. Kripa Shankar Prasad, AOR Mr. Amolak Narayan, Adv. Ms. Rakhi Ray, AOR Mr. Sureshan P., AOR Mr. Shivam Yadav, Adv. Mr. Rajesh Singh, AOR Ms. Shilpa Chohan, Adv. Mr. Jitender Chaudhary, Adv. Ms. Rajbala, Adv. Ms. Anita Mahapatra, Adv. Mr. Syed Jafar Alam, AOR Ms. Charu Ambwani, AOR Mr. Siddharth, AOR Mr. Anshul Saxena, Adv. Ms. Rohini Prasad, AOR Mr. Aman Preet Singh Rahi, Adv. Mr. A. Venayagam Balan, AOR Mr. Puneet Thakur, Adv. Mr. Gaurav Pal, Adv. Mr. Kiritkumar Govindlal Sheth, Adv. Mr. C.M. Sundaram, Adv. Mr. Ashray Behura, Adv. Mr. Sanjay Kumar Tyagi, AOR Ms. Meera Mathur, AOR Mr. Sunil Kumar Verma, AOR Mr. Rajesh Kumar Gautam, AOR Mr. Anant Gautam, Adv. Mr. Dinesh Sharma, Adv. Ms. Shivani Sagar, Adv. Ms. Anani Achumi, Adv. Mr. Kamal Mohan Gupta, AOR

Mr. K. Parameshwar, AOR Ms. Kanti, Adv. Mr. Chinmay Kalgaonkar, Adv. Ms. Raji Gururaj, Adv. Dr. Ashutosh Garg, AOR Mr. Ajit Kumar Sinha, Sr. Adv. Mr. Govind Jee, AOR Mr. Omanakuttan K K, Adv. Mr. Shivendu Prakash, Adv. Mr. Rajiv Kataria, Adv. Ms. Debjani Das Purkayastha, Adv. M/S. Delhi Law Chambers, AOR Mr. Ashish Prasad, Adv. Ms. Mukta Dutta, Adv. Mr. Mahfooz Ahsan Nazki, AOR Mr. Harsha Gollamudi, Adv. Mr. S. Rajappa, AOR Mr. Roopansh Purohit, AOR Mr. T. Mahipal, AOR Mr. Somanatha Padhan, AOR Ms. Preeti Singh, AOR Mr. Sunklan Porwal, Adv. Ms. Shefali Menezes, Adv. Mr. Saurabh Ajay Gupta, AOR Mr. Sushil Kumar Sharma, Adv. Mr. Pahlad Singh Sharma, AOR Mr. Vikas Kakkar, Adv. Mr. Virendra Kumar, Adv. Mr. Manish Kumar Mishra, Adv. Mr. Kshitij Vedwal, Adv. Ms. Ankhi Sarkar, Adv. Mr. Balaji Srinivasan, AOR Dr. Sumant Bharadwaj, Adv. Mr. Vedant Bharadwaj, Adv. Ms. Mridula Ray Bharadwaj, AOR Dr. Manoj Kumar, Adv. Mr. Rakesh Kailash Sharma, Adv.

Mr. D.M. Sharma, Adv. Mr. Tanay Hari Har Lal, Adv. Mr. Gopal Sankaranarayanan, Sr. Adv. Mr. M.L. Lahoty, Adv. Mr. Parth Shekhar, Adv. Mr. Shubham Singh, Adv. Mr. Paban K. Sharma, Adv. Mr. Ambali Vedasen, Adv. Mr. Anchit Sripat, Adv. Ms. Ambali Vedasen, Adv. Mr. Pranab Kumar Nayak, Adv. Ms. Rachna Ranjan, Adv. Ms. Partap Ranjan, Adv. Mr. Mayank Grover, Adv. Ms. Pratibha Vyas, Adv. Mr. Ugranath Kumar, Adv. Ms. Aditi Gupta, Adv. Mr. Dr. Mahesh Y. Reddy, Adv. Mr. Mahabir Singh, Adv. Mr. Vivek Kumar, Adv. Mr. Vishal Prasad, Adv. Mr. Surajit Paul, Adv. Mr. Sameer Mehndiratta, Adv. Mr. Rajat Sinha Roy, Adv. Mr. Gyanesh Kumar Maheshwari, Adv. Ms. Monica Haseja, Adv. Mr. Md Sontu Mia, Adv. Mr. Nikhil Kumar, Adv. Mr. Mukesh Kumar Verma, Adv. Mr. Mata Prasad Pathak, Adv. Mr. Arvind Kumar Tomar, Adv. Ms. Moni Tomar, Adv. Mr. Bacha Babu Mistry, Adv. Mr. Arvind Kumar, Adv. Mr. Himanshu Shekhar, AOR Mr. Awanish Kumar, AOR Mr. Aldanish Rein, AOR Mr. Kaustubh Anshuraj, AOR Mr. Krishna Kumar Singh, AOR Mr. Ashwarya Sinha, AOR Mr. Aditya Malhotra, Adv. Ms. Priyanka Sinha, Adv. Mr. Govind Rishi, Adv. Mr. Dharmendra Kumar Sinha, AOR

Mr. Partha Sil, AOR Ms. Upasana Nath, AOR Ms. Rashmi Nandakumar, AOR Mr. Anukul Raj, Adv. Mr. Nikita Raj, Adv. Mr. Tushar Bhalla, Adv. Mr. Shantanu Krishna, AOR Mr. Alok Kumar, Adv. Mr. Siddhartha Jaiswal, Adv. Mr. Ayush Sharma, AOR Mr. Vaibhav Kumar, AOR Mr. Aneesh Mittal, AOR Ms. Jyoti Mendiratta, AOR Mr. R.P. Mehrotra, Sr. Adv. Mr. Kaushik Choudhury, AOR Mr. Saksham Garg, Adv. Mr. Jyotirmoy Chatterjee, Adv. Mr. Jaskaran Singh Bhatia, Adv. M/S. Dua Associates, AOR

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

- 1 On 1 February 2023, 12 April 2023, 9 October 2023 and 3 November 2023, this Court issued specific directions in order to ensure that the applications submitted by the government appointed Board of Directors of Unitech Limited<sup>1</sup> for approval of revised layout plans, building plans and ancillary approvals are duly processed by Noida and Greater Noida.
- 2 At all stages of the proceedings, this Court has made an effort to ensure that further progress in granting approvals is made in due consultation between the Board of Unitech and the officials of Noida and Greater Noida. This course of action was taken to ensure that while, on one hand, the urgent and pressing

1 "Unitech"

need of the homebuyers for the commencement of construction is placed at the forefront, the legitimate dues of Noida and Greater Noida<sup>2</sup> as public bodies are also protected, on the other hand.

3 In its order dated 1 February 2023, this Court issued the following directions:

"At this stage, it would be appropriate if Noida processes the applications for approval of revised layout plans, building plans and ancillary approvals without insisting on upfront payment of dues. However, the Board of Unitech shall pay the current application fees/scrutiny fees as payable in law.

We defer the issue pertaining to the payment of outstanding dues which shall be determined in due course after due opportunity of hearing to both Noida and the government appointed Board of Unitech."

4 Subsequently, on 12 April 2023, this Court directed that:

"During the course of the hearing, we have indicated to Mr N Venkataraman, Additional Solicitor General and Mr Ravindra Kumar, senior counsel that it would be appropriate if a joint meeting is held between the HoD of the Planning Department of the authority with the authorized representative of the Unitech Limited so that all the formalities required for processing the building plans and for the grant of approvals are completed. It has been agreed that this exercise shall be carried out by 18 April 2023."

5 This was followed by an order dated 9 October 2023, a portion of which is extracted below:

"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 Finally, on 3 November 2023, the following direction was issued:
- 2 "industrial development authorities"

"As regards prayer (B) which relates to the grant of sanctions by NOIDA of the revised plans, it has been agreed that the Additional Solicitor General and Mr Ravindra Kumar, senior counsel appearing on behalf of NOIDA and Greater NOIDA shall sit together so that an agreed formulation can be tendered before this Court for passing an order which would sub-serve the interest of ensuring the commencement of construction while protecting the legitimate concerns of the planning authorities."

7 In the status note which has been submitted by Mr N Venkataraman, Additional Solicitor General, it has been stated that Unitech submitted the revised layout plans and building plans on 8 February 2023 and paid up the current scrutiny fees as required by the order dated 1 February 2023. In the month of April 2023, meetings were convened between the officials of Noida and representatives of Unitech and the scrutiny of plans was completed. The status note shows that two-thirds of the homebuyers have approved the revised layout plan. However, approvals by the industrial development authorities are awaited. While issuing its directions on 3 November 2023, it was expected by this Court that the meeting between the Additional Solicitor General and the senior counsel appearing on behalf of the industrial development authorities would result in tangible progress. A joint meeting was convened on 6 November 2023 between the Additional Solicitor General and the senior counsel appearing on behalf of the industrial development authorities. A formulation was prepared by the Additional Solicitor General and submitted to the industrial development authorities for the grant of sanctions and approvals to the layout and building plans and ancillary permissions without prejudice to the rights of the industrial development authorities to recover their outstanding dues upon quantification by this Court.

- 8 By an email dated 9 November 2023, the Advocate-on-Record of both authorities has stated that he was "instructed to communicate the inability" of industrial development authorities to "accept the proposal", as submitted.
- 9 The above email sets out no reasons at all. This is most unfair to the homebuyers. In the absence of the grant of approvals to the layout plans and building plans, the construction to meet the needs of the homebuyers of Unitech cannot commence. This Court has been monitoring the entire issue pertaining to the homebuyers of Unitech for over four years in order to ensure that the homebuyers, who have invested funds in the expectation that they would receive the flats which were purchased in the foreseeable future, are not left in lurch. Unfortunately, both Noida and Greater Noida and their officials have stone-walled the process. They have failed to extend their cooperation.
- 10 Despite the succession of orders of this Court, it appears that no resolution has been found. Unless the Court were to interfere, at this stage, the matter would lie in limbo and there is a real danger that the homebuyers would lose all interest out of a sense of frustration. The homebuyers have undertaken financial liabilities towards the flats which were purchased and it is a matter of public interest that their concerns should be duly protected.
- 11 Mr N Venkataraman, Additional Solicitor General, submitted that:
  - (i) In pursuance of the orders passed by this Court, the scrutiny of the plans has been completed and no objections have been raised by the industrial development authorities;

- (ii) The case having been monitored by this Court for over four years, the object and purpose underlying the orders which have been passed must be fulfilled by achieving real and tangible progress of the commencement of construction on the ground;
- (iii) The money which has been contributed by the homebuyers must in all fairness be spent on the actual construction of the projects in order to generate a sense of confidence on the part of the homebuyers who have been left in the lurch by the erstwhile management of Unitech; and
- (iv) The forensic audit, which was ordered by this Court to be conducted by M/s Grant Thornton, has indicated that the moneys which were contributed by the homebuyers were siphoned off by the erstwhile management.
- 12 In this backdrop, it has been urged that it is all the more necessary that the moneys which are to be contributed by the homebuyers should be allocated for the purpose of actual construction.
- 13 Besides Mr N Venkataraman, we have heard Mr Ravindra Kumar, senior counsel appearing on behalf of the industrial development authorities, and Mr Gopal Sankaranarayanan, senior counsel appearing on behalf of a group of homebuyers.
- 14 Mr Ravindra Kumar, senior counsel representing the industrial development authorities, submitted that:
  - (i) The industrial development authorities have absolutely no objection to the

construction which is to be carried out under the authority of the government appointed Board of Directors for the existing homebuyers of Unitech;

- (ii) The bone of contention pertains to the remaining vacant land for which there are no existing homebuyers;
- (iii) The objection pertaining to the grant of sanctions relating to the vacant land does not stand in the way of the construction which is to be carried out for the homebuyers; and
- (iv) An amount of Rs 11,200 crores is to be realised by Unitech representing the balance amount payable by homebuyers and the valuation of the unsold inventories.
- 15 Mr Gopal Sankaranarayanan, senior counsel, has placed a tabulated chart in support of his submission that, as a matter of fact, there was a consistent default on the part of the industrial development authorities in enforcing their contractual obligations against the erstwhile management of Unitech. It has been submitted that the industrial development authorities continue to be oblivious of the failure of the erstwhile management to comply with their obligations which were undertaken towards the authorities under the lease terms and this resulted in a situation where the erstwhile management was left with a free hand, eventually, resulting in the siphoning off of the moneys contributed by the homebuyers oversees.
- 16 We must note that the submission which has been made by Mr Gopal Sankaranarayanan, has not been accepted on behalf of the industrial

development authorities. For the present, it may not be necessary for this Court to enter upon the recriminations involving the conduct of the officials of the industrial development authorities. The object and purpose at the present stage must be to ensure that the construction commences and flats are provided to the homebuyers at an early date. The conduct of the officials of the industrial development authorities can be considered later should it so become necessary.

- 17 At this stage, it is not in dispute that the lands which were leased out to Unitech are comprised in three segments:
  - (i) Sectors 96, 97 and 98 of Noida comprising of 347 acres;
  - (ii) Sector 113 comprising of 53.53 acres; and
  - (iii) Sector 117 comprising of 71 acres.
- 18 The senior counsel appearing on behalf of the industrial development authorities urged that while the authorities have no objection to the grant of approvals to facilitate the commencement of construction, this should be confined only to the units which form the subject matter of agreements which have been entered into between the existing homebuyers and Unitech.
- 19 The Additional Solicitor General, while adverting to the above objection, has placed on the record a copy of the affidavit dated 3 January 2018 which was filed by the Chairman and Chief Executive Officer<sup>3</sup>, Noida in a Special Leave Petition<sup>4</sup>. The affidavit by the CEO specifically dealt with Sectors 96, 97 and 98. Paragraph

<sup>3 &</sup>quot;CEO"

<sup>4</sup> SLP(C) No 9572 of 2007 [I City Infrastructure (India) Pvt Ltd v New Okhla Industrial Development Authority and Others]

6 of the affidavit contains a summary of land use distribution and development at the site in the following terms:

S.No.	Description	As per allotment letter area (%)	Permissible Area (Sqm.)	Sanctioned Area (Sqm.)	Construction/ development on site as per report of work circle
1	Institutional/ Public Facilities/ Utility	12%	1,68,879.32	1,68,879.32	1,756.45
2	Recreational Parks and open space	18%	2,53,318.98	2,53,318.98	2,55,571.56
3	Road and Public Parking	20%	2,81,465.54	2,81,465.54	47,725.10
4	Residential (GH)	50%	7,03,683.84	7,03,683.84	1,37,415.00
	Total	100%	14,07,327.68	14,07,327.68	4,59,092.78 (32.62%)"

"6. The summary of land use distribution and development of site is as per the following table:

- 20 The Additional Solicitor General has submitted that it would be unfair to confine the construction which is proposed to be carried out under the authority of the Board of Unitech only to the residential units which have been sold since this would fail to account for other uses which are part and parcel of the entire project and ancillary to the residential units which are agreed to be sold.
- 21 Mr Gopal Sankaranarayanan has supported the submission of the Additional Solicitor General by urging that the submission which has been urged on behalf of the industrial development authorities would lead to a breach of the Master Plan.
- 22 At this stage, we are of the view that the industrial development authorities must proceed to issue all necessary sanctions and approvals in respect of the projects of Unitech over the leased lands. The grant of permissions and

approvals can be bifurcated into two segments. The first segment, where the approvals and sanctions can brook no delay, relates to the leased lands where the projects have been launched. The sanctions must cover the entirety of each project comprising of the land use distribution and development as contemplated as part of the project. This is necessary because the homebuyers of the project are entitled to not only to their allotted units, but to all other ancillary amenities which are incidental to the use and enjoyment of the land which has been sold. The first segment, which we have referred to above, would cover both the existing homebuyers who have agreements with Unitech as well as the unsolved inventories. The unsold inventories would enable the government appointed Board of Directors to realize funds for the purpose of construction. The Court is apprised of the fact that the amount which is due from the existing homebuyers ranges in the vicinity of Rs 3,200 crores and in respect of the unsold inventories, approximately, Rs 8,000 crores.

- 23 The second segment of the approvals would relate to the leased lands where the projects are yet to be launched. We are of the view that these approvals and sanctions can be taken up at a subsequent point of time.
- At this stage, therefore, we direct that the industrial development authorities shall abide by the following directions:
  - (i) The industrial development authorities shall, on or before 31 May 2024, grant all sanctions and approvals for the revised layout plans, building plans and ancillary permissions, subject to the deposit of balance amount, if any, that is required on account of current scrutiny fees in terms of the order which was passed by this Court on 1 February 2023;

- (ii) Direction (i) above shall cover all the projects which have been launched on the leased lands comprised in Sectors 96, 97, 98, 113 and 117, as the case may be; and
- (iii) The sanctions and approvals shall be granted in accordance with the applicable building regulations and provisions of law.
- 25 As clarified in the previous orders of this Court, the outstanding dues of the industrial development authorities shall be determined and quantified by this Court after hearing all the parties at an appropriate point of time.

### IA No 69402 of 2024

- 26 In terms of the provisions of Section 24A of the Arbitration and Conciliation Act 1996, the time for the completion of the arbitral proceedings shall stand extended till 30 September 2024.
- 27 IA is disposed of.

# <u>IA Nos 77542 of 2024, 77858 of 2024, 192119 of 2023, 195977 of 2023 and 219762 of 2023</u>

- 28 These IAs have been filed by the government appointed Board of Unitech.
- 29 Issue notice.

### Note 9 submitted by Mr Justice Abhay Manohar Sapre

30 Mr Justice Abhay Manohar Sapre, former Judge of this Court, has, as part of the oversight work, submitted Note 9, which reads as follows :

#### "Award of Contracts in respect of 25 Retrofitting Tenders for carrying out Special Repairs/Retrofitting Works in Unitech's 16 Projects"

- 1. I have gone through the details of the proposal as considered and approved by the Board and also discussed with the CMD and his team. It is a matter of satisfaction that the number of bids received in response to retrofitting tenders was high and resulted in rates lower than the estimated cost put to tender.
- 2 Structural Health Safety Audit of 179 Towers and 13 Basements, forming part of 27 High-rise Projects was done by IITs/Institutes of Eminence in June 21022 wherein Projects were identified where there was need for carrying out special repairs/retrofitting works.
- 3 Recommendations of the IITs/Institutes of Eminence were approved by the Board of Directors on 29.08.2023 and I also gave my approval on 12.10.2023 and 03.11.2023. Thereafter, whereby 28 tenders were floated for carrying out special repairs/retrofitting works.
- 4 After following the detailed process, 25 tenders are sought to be awarded for different projects. Estimated cost for these 25 tenders is Rs.86.16 crores, which is more than 20% lower than the estimated cost which was put to tender.
- 5 Accordingly, recommendations of the Board of Directors for Award of Contracts in respect of 25 Tenders for Retrofitting Works, are endorsed with further recommendations to the Hon'ble Supreme Court for its approval for the Award of Contracts for Retrofitting Tenders for carrying out Special Repairs/Retrofitting Works in Unitech's 16 Projects.
- 6 A summary of aforesaid 25 projects with details is enclosed as Annexure-1 to this Note."
- 31 Permission as sought in paragraph 5 of the above note is granted.

### Note for hearing dated 14 March 2024

- 32 In the note for hearing dated 14 March 2024, the government appointed Board of Unitech has, *inter alia*, sought the permission for the award of contracts in respect of 38 tenders being a part of Lot-3 as recommended by Mr Justice AM Sapre, former Judge of this Court.
- 33 By an earlier order dated 03 November 2023, the Board of Directors of Unitech Limited was permitted to award contracts in respect of 49 tenders of Lot-1 and Lot-2. A total of 49 contracts have been awarded covering a major part of the work of 39 projects entailing the completion of 8209 sold units.
- 34 In respect of the Lot-3 Tenders, the note for hearing contains the following statement:
  - "2.1 The management floated a total of 55 Tenders as part of Lot-3 with the last date of submission of bids being 19.12.2023. The response this time has been very encouraging as compared to Lot-1 and Lot-2 Tenders as 150 bids have been received against 52 Tenders. After completing Technical Evaluation of these 52 Tenders, Financial bids of technically gualified bidders were opened on 17.01.2024. Having completed this process, the Management placed the matter before the Board of Directors (BoD) in its meeting held on 12.02.2024 for consideration and approval of the bids in respect of 38 Tenders. Pursuant to the approval of the Board of Directors for acceptance of bids in respect of 38 Tenders, recommendations of the BoD were placed before Justice (Retd.) A.M. Sapre for his consideration. Justice (Retd.) A.M. Sapre has approved the same and his report is placed for kind consideration and approval by the Hon"ble Court."
- 35 Since the tender process and the proposed award of contracts have been vetted by Mr Justice AM Sapre, we permit the government appointed Board of Directors

of Unitech to award the contracts in terms of recommendations made by Mr Justice AM Sapre.

#### IA No 178886 of 2023

- 36 The relief which has been sought in the IA is in the following terms :
  - "(a) Direct the Hon'ble Supreme Court Registry of this Hon'ble Court to refund the amount of Rs. 25 crores taking account of the three sale deeds executed in favour of the Respondent in compliance of the Order of this Hon'ble Court dated 02.03.2022."
- 37 Mr Arvind Srevasta, counsel appearing on behalf of the applicant and Mr N Venkataraman, Additional Solicitor General have been heard.
- 38 The Additional Solicitor General states that it is not in dispute that on 5 July 2023, the applicant executed three sale deeds re-conveying the land admeasuring 30.71 acres in favour of the respondent Unitech Limited in compliance with the orders of this Court dated 2 March 2022. The Additional Solicitor General states that the documents have been furnished to the government appointed Board of Unitech on 6 December 2023.
- 39 In the above view of the matter, the Additional Solicitor General states that there is no objection to the IA being allowed.
- 40 IA is allowed in terms as prayed.
- 41 The Registry shall refund the amount of Rs 25 crores lying in deposit together with accrued interest, if any, thereon to the applicant.

### IA No 55451 and 55462 of 2023

- 42 The application by Shri Ram Dev Dudeja has been filed through his daughter Smt Anita Pandit. The applicant is stated to be a holder of five fixed deposits in Unitech Limited totalling an amount of Rs 12 lakhs. The applicant states that he is 92 years of age and has been diagnosed with Prostate Cancer.
- In the past, this Court has permitted refunds on medical grounds. In view of the urgency which has been shown in the application, we request Ms Anubha Agrawal, Advocate-on-Record appearing on behalf of Unitech Limited to place the IA for consideration before Mr Justice AM Sapre so that all the underlying documents can be scrutinised. We would request that this exercise may be completed within a period of one week. In the event that the refund of the amount of the fixed deposits held by Shri Ram Dev Dudeja is recommended by Mr Justice AM Sapre, the Registry shall make the disbursal in terms similar to the modalities followed in the past forthwith.
- 44 The IAs are accordingly disposed of.

## IA No 234374 of 2023

45 A copy of the application shall be served on Ms Chinmayee Chandra, counsel appearing on behalf of Delhi Police.

### Civil Appeal Nos 2496-2497 of 2020

46 Detag.

# <u>Civil Appeal No 10856 of 2016</u>

47 List the following IAs on 3 May 2024:

Sr. No	). I.A. No.	Name of AOR
A.	Change from Refund to Possession	
1.	42164 of 2023	Ila Shikar Sheel
2.	227780 of 2023	Chandan Kumar
3.	27782 of 2023	Chandan Kumar
	186754 of 2022	
4.	186764 of 2022	In Person: Rakesh Prakash & Anr.
	186776 of 2022	
5.	166468 of 2022 & 166471 of 2022	Himanshu Shekhar
6.	Crl M.P. 139493 of 2018	Madhurima Tatia
7.	100512 of 2022	Suneita Ojha
0	6057 of 2023 in C.A. 17008-17011 of	
8.	2017	D. Abhinav Rao
9.	26041 of 2020	Himanshu Shekhar
10.	262717 of 2023	Kaushik Chaudhary
11.	25986 of 2024	Himanshu Shekhar
12.	54703-54705 of 2024	Navneet R
	172293 of 2022	In person: Naresh Kumar Khatreja
13.	172303, 172305 of 2022	
13.	177664 of 2022	
	241957 of 2023	
В.	Applicants seeking possession	
14.	59150 of 2023	Anindita Mitra
15.	175884 of 2023	Shantwanu Singh
	175971 of 2023	Shantwand Singh
16.	77829 of 2017	Himanshu Shekhar
17.		Himanshu Shekhar
18.		Himanshu Shekhar
19.		Himanshu Shekhar
20.		Himanshu Shekhar
21.	85880 of 2017	Himanshu Shekhar
22.	95992 of 2017	Himanshu Shekhar
23.	87452 of 2017	Himanshu Shekhar
24.		Nidhi Mohan Parashar
25.		Shivendra Singh
26.		Ayush Sharma
С.	Seeking refund on medical grounds	
27.	27413 of 2023	Ajit Kumar Ekka
	28646 of 2023	•
28.		Ajit Kumar Ekka
29.		Ajit Kumar Ekka
30.	197133 of 2022	Sudhir Kulshrestha

Sr. No.	I.A. No.	Name of AOR
	197129 of 2022	
31.	57215 of 2023	Pallavi Langar
32.	96303 of 2023 96310 of 2023	Himanshu Shekhar
33.	109760 of 2023	Jeetender Gupta
34.	66198,9610062370,62339 67725 of 2023 in CA 9397 of 2017	Rachana Joshi Issar
35.	1258 of 2024	Prem Prakash S. Ramamani
36.	82153 of 2023 82133 of 2023	
D. S	enior Citizens seeking refund	
37.	196017 of 2022 19561 of 2022	Kaushik Choudhury
38.	20464 of 2023 20545 of 2023	Surbhi Kapoor
39.	173737/2022	Kaushik Choudhury
40.	182946 of 2023	Satish Pandey
41.		Siddharth
42.	181233 of 2023	Kripa Shankar Prasad
43.	173950 of 2022	Abdul Azeem Kalebudde
Е. С	ustomers seeking refund	
44.	77925 of 2020	Himanshu Shekhar

(SANJAY KUMAR-I) DEPUTY REGISTRAR

# (SAROJ KUMARI GAUR) ASSISTANT REGISTRAR