

ITEM NO.17 Court 5 (Video Conferencing) SECTION XVII-A

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.10856/2016

BHUPINDER SINGH

Appellant(s)

VERSUS

UNITECH LTD.

Respondent(s)

(With appln.(s) for for approval of the resolution plan, appropriate orders/directions, clarification/direction, early hearing, exemption from filing affidavit, exemption from filing O.T., exemption from paying court fee, extension of time, intervention, intervention/impleadment, permission to appear and argue in-person, permission to file additional documents/facts/Annexures, permission to place additional facts and grounds, recalling the Court's order and withdrawal of case/application)

WITH S.L.P.(Cr1) Nos.5978-5979/2017 (II-C)

(With appln.(s) for exemption from filing certified as well as ordinary plain copy of the impugned order, substitution, appropriate orders/directions, clarification/direction, early hearing, exemption from filing affidavit, interim bail, intervention, intervention/impleadment, modification, modification of Court order, permission to appear and argue in-person, permission to file additional documents/facts/Annexures, direction, to file SLP without certified/plain copy of impugned order, permission to palce on record subsequent facts, recalling the Court's order, seeking custody certificate and withdrawal of case/application)

Date : 23-03-2021 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE SANJIV KHANNA

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Mr. Mahesh Agarwal, Adv.
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Mr. Sushant Dogra, Adv.

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

IA 88960 of 2020

- 1 On the oral request of Mr N Vekataraman, permission is granted to implead (i) Devas Global Services LLP; (ii) Naresh Kumar Kempanna; and (iii) Col Mohinder Singh Khaira as respondents to the interim application since reliefs have been sought against them.
- 2 The amendment be carried out during the course of this week.
- 3 Issue notice to the newly impleaded respondents.
- 4 Mr Sajan Poovayya, Mr Huzefa Ahmadi and Mr Vinay Navare, learned Senior Counsel, accept notice respectively on behalf of the newly added respondents.
- 5 The response to the interim application shall be filed on or before 5 April 2021 with an advance copy to Ms Anubha Agrawal, learned counsel assisting Mr N Venkataraman, learned Additional Solicitor General, on behalf of the new management of Unitech Limited and the *amicus curiae*.
- 6 List the application on 6 April 2021 at 2 pm.

IA 97388 of 2020

- 1 On the request of Mr N Venkataraman, learned Additional Solicitor General, permission is granted to implead Mr D A Kumar as a respondent to the interim application.
- 2 The amendment be carried out during the course of this week.
- 3 Issue notice to the newly added respondent.
- 4 Mr Nakul Mohta, learned counsel appearing on behalf of the newly added respondent, accepts notice.
- 5 A copy of the application be served to Mr Nakul Mohta.
- 6 Reply, if any, to the application be filed on or before 5 April 2021.
- 7 List the application on 6 April 2021 at 2 pm.

S.L.P.(CrI) Nos.5978-5979/2017

- 1 Ms Madhavi Divan, learned Additional Solicitor General, states that a status report on behalf of the Enforcement Directorate was under preparation for being filed before this Court. However, certain developments have taken place in the meantime and hence it would be necessary to place an updated position.
- 2 On the request of the learned Additional Solicitor General and, as prayed, we grant a period of one week to file a status report in the Registry of this Court in regard to the status of investigation in a sealed cover.

Civil Appeal No.10856/2016

Re: Sale of Unitech Power Transmission Limited to Sterling and Wilson Pvt Ltd

- 1 Mr N Venkataraman, learned Additional Solicitor General, submits that the sale of Unitech Power Transmission Limited(UPTL) to Sterling and Wilson Pvt Ltd has not fructified. No amount has been deposited by Sterling and Wilson Pvt Ltd before the Registry of this Court for a period of one and a half years.
- 2 In this view of the matter, the new management of Unitech Limited is permitted to explore other potential buyers for the sale of the shareholding in UPTL. The prior permission of the Court shall be obtained for concluding the transaction in respect of shares in UPTL.

Re: Office report dated 20 March 2021 regarding renewal of FDRs

- 1 The office report indicates that FDR Nos 1303-P, 1303-B, 1303-C and 1303-F are due to mature on different dates in the month of April 2021. The Registry is directed to renew the said FDRs initially for a further period of three months and thereafter the FDRs be renewed on auto renewal basis, subject to further orders of the Court.
- 2 List the Civil Appeal No 10856 of 2016 and the Special Leave Petition Nos 5978-5979 of 2017 tomorrow (24 March 2021) at 2 pm.

**(SANJAY KUMAR-I)
AR-CUM-PS**

**(ANITA RANI AHUJA)
ASSISTANT REGISTRAR**