

ITEM NO.31

COURT NO.1

SECTION II-C

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

Petition(s) for Special Leave to Appeal (Crl.) Nos.5978-5979/2017

(Arising out of impugned final judgment and order dated 11-08-2017 in BA No. 1573/2017 11-08-2017 in BA No. 1574/2017 passed by the High Court Of Delhi At New Delhi)

SANJAY CHANDRA & ORS.

Petitioner(s)

VERSUS

STATE GOVT. OF NCT OF DELHI & ORS.

Respondent(s)

Date : 05-03-2018 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

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Mr. Ashok K. Sharma, Adv.  
Mr. Uday Prakash Yadav, Adv.  
Mrs. Anuradha Soni Verma, Adv.  
Mr. Shryansh Aggarwal, Adv.  
Mr. Rajesh Goyal, Adv.  
Mr. H. Arjun, Adv.

Mr. Kaustubh Anshu Raj, Adv.

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

Cr1.M.P. No.28871/2018

This is an application for impleadment made on behalf of the Pioneer Urban Land and Infrastructure Limited and Others.

We have heard Mr. C.A. Sundaram, learned senior counsel along with Mr. Nikhil Nayyar, learned counsel for the applicants. The prayer for impleadment stands allowed.

Cr1.M.P. No.29029/2018

It is submitted by Mr. Sundaram, learned senior counsel that the execution proceedings are going on against the applicants before the National Consumer Disputes Redressal Commission, New Delhi (for short, 'the National Commission'). The said proceedings shall be stayed, subject to the applicants depositing a sum of Rs.40,00,00,000/- (Rupees forty crores only) before the Registry of this Court. A sum of Rs.30,00,00,000/- (Rupees thirty crores only) be deposited by 30<sup>th</sup> March, 2018, and the balance Rs.10,00,00,000/- (Rupees ten crores only) be deposited by 5<sup>th</sup> April, 2018. Be it noted, the said amount shall be distributed amongst the home buyers, who have claimed refund in respect of the concerned project before the National Commission.

We may clarify that the proceedings shall remain stayed where there is collaboration of the applicants with the Unitech Limited. The other proceedings against the applicants barring which is not covered by the collaboration agreement, shall continue.

Mr. Nikhil Nayyar, learned counsel appearing for the applicants shall provide a list of the names of the applicants, who have approached the National Commission seeking relief, to Mr. Pawanshree Agarwal so that the learned Amicus Curiae can tally the same with his portal.

Let the matter be listed on 12<sup>th</sup> March, 2018, on which date the Managing Director of J.M. Financial Limited, along with his competent officers, who will be able to answer the questions put by the Court, shall remain personally present before this Court.

In the meantime, the competent authority of the Unitech Limited shall file an affidavit mentioning the details of its properties and its subsidiaries, situate in India as well as outside, which are free from encumbrances. If the affidavit is not true, the proceedings shall be initiated under Section 340 of the Cr.P.C.

Call on the date fixed.

(Chetan Kumar)  
Court Master

(H.S. Parasher)  
Assistant Registrar