

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
I.A. NO. OF 2021
IN
I.A. NO. 64112 OF 2020
IN
CIVIL APPEAL NO.10856 OF 2016

IN THE MATTER OF:

BHUPINDER SINGH

...PETITIONER(S)

VERSUS

UNITECH LIMITED

...RESPONDENT-
APPLICANT

**APPLICATION FOR DIRECTIONS AND FOR PLACING
ON RECORD CORRECTIONS AND UPDATES TO
THE RESOLUTION FRAMEWORK FILED PURSUANT
TO ORDER DATED 20.01.2020 PASSED BY THIS
HON'BLE COURT**

PAPER BOOK

(FOR INDEX – KINDLY SEE INSIDE)

ADVOCATE FOR THE RESPONDENT- APPLICANT:
ANUBHA AGRAWAL

INDEX

S. No.	PARTICULARS	PAGE Nos.
1.	APPLICATION FOR DIRECTIONS AND FOR PLACING ON RECORD CORRECTIONS AND UPDATES TO THE RESOLUTION FRAMEWORK FILED PURSUANT TO ORDER DATED 20.01.2020 PASSED BY THIS HON'BLE COURT	1 - 6
2.	ANNEXURE A-1 True copy of copy of Corrections and Updates of the Resolution Framework	(1 - 67) Separate spiral bound volume
3.	ANNEXURE A-2 True copy of Updated Resolution Framework, incorporating the amendments	(1 - 263) Separate spiral bound volume

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

I.A. NO. OF 2020
 IN
I.A. NO. 64112 OF 2020
 IN
CIVIL APPEAL NO.10856 OF 2016

IN THE MATTER OF:

BHUPINDER SINGH	...PETITIONER(S)
VERSUS	
UNITECH LIMITED	...RESPONDENT- APPLICANT

**APPLICATION FOR DIRECTIONS AND
FOR PLACING ON RECORD
CORRECTIONS AND UPDATES TO
THE RESOLUTION FRAMEWORK
FILED PURSUANT TO ORDER DATED
20.01.2020 PASSED BY THIS HON'BLE
COURT**

To,
The Hon'ble the Chief Justice of India
and His Companion Justices of
the Supreme Court of India

The humble application of the respondent-applicant above named

MOST RESPECTFULLY SHOWETH:

1. That pursuant to directions of this Hon'ble Court, vide order dated 20.01.2020, new Board of Directors had placed on record Resolution Framework dated 07.07.2020, vide I.A. No. 64112 of 2020 for kind consideration of this Hon'ble Court. The said Resolution Framework is still pending consideration by the Hon'ble Court.
2. That while the Resolution Framework was pending consideration before this Hon'ble Court, the new management, as an on-going process of verification of facts, accounts and documents and upon receipt of certain objections, found that certain inadvertent factual inconsistencies and inaccuracies had crept into the Resolution Framework. Also, further collation of data regarding the status of the unfinished projects, amounts receivable from homebuyers of those projects and funds required for completion has resulted in change in categorization of certain projects. A copy of Corrections and Updatations of the Resolution Framework is attached as **Annexure A-1**.
3. That corrections and updatations are primarily in Annexure A and in Chapter 2 of the Resolution Framework, which pertain to 'Categorization of Projects (residential and commercial)' and 'Brief Description of Corporate Structure, Projects, Assets and Liabilities of the Unitech Group' respectively. Further, there is a schedule of miscellaneous edits, throughout the document, with reference to the original clauses. Chapter 13 has also been updated with additional 'Avoidable Transactions'.
4. That when the New Board of Management was appointed by the Hon'ble Court, the records of the Company were not properly

maintained, were lying at different places and incomplete information was available. Despite best efforts, complete and correct information was not available at the time of preparation of Resolution Framework. Over the period of time, with availability of more records, information and inputs from other stakeholders on best effort basis, corrections and updations were necessitated, which have been duly approved by the Board of Directors. These corrections and updations are bonafide and necessary to place on record correct factual position before the Hon'ble Court.

5. That in view of the above, it is respectfully prayed that the Hon'ble Court may kindly be pleased to take the "Corrections and Updation of the Resolution Framework dated July 7, 2020" on record and the said document be read in harmonious conjunction with the original Resolution Framework in respect of the amended clauses.
6. That for the convenience of the Hon'ble Court, the "Corrections and Updation of the Resolution Framework dated July 7, 2020" is being filed as **Annexure A-1**. A copy of revised Resolution Framework, with the amendments incorporated therein, is being filed as **Annexure A-2**. Original text, which is sought to be amended, has been highlighted in blue colour and the amended version is given in green colour. Both **Annexure A-1** and **A-2** are being filed as separate spiral bound volumes.
7. That the instant application is made bonafide and in the interest of justice.

PRAYER

It is therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- (i) Allow the present application and the “Corrections and Updation of the Resolution Framework dated July 7, 2020” may kindly be taken on record and read as an integral part of the Resolution Framework dated July 07, 2020;
- (ii) pass such other or further orders as this Hon'ble Court may deem fit and proper in the interest of justice.

FOR WHICH ACT OF KINDNESS, THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY.

THROUGH



ANUBHA AGRAWAL

ADVOCATE FOR THE RESPONDENT- APPLICANT

Filed on: 05.02.2021

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. NO. OF 2021

IN

I.A. No. 64112 OF 2020

IN

CIVIL APPEAL NO.10856 OF 2016

IN THE MATTER OF:

BHUPINDER SINGH

...PETITIONER

VERSUS

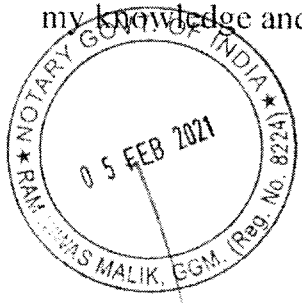
UNITECH LIMITED

...RESPONDENT

AFFIDAVIT

I, Y.S. Malik, son of Late Shri H.S. Malik, aged about 62 years, currently working as Chairman & Managing Director with the Respondent having its registered office at 6, Community Centre, Saket, New Delhi, currently at Gurugram, do hereby solemnly affirm and declare as under:

1. That I am the Chairman & Managing Director of the Respondent Company and in the said capacity, I am well conversant with the facts and circumstances of the case and also competent to swear the present affidavit.
2. That I have read and understood the accompanying Application from Paras 1 to 7 and state that the facts stated therein are true to my knowledge and based on the records of the case.



3. The annexures annexed to the application are true copies of their respective originals.

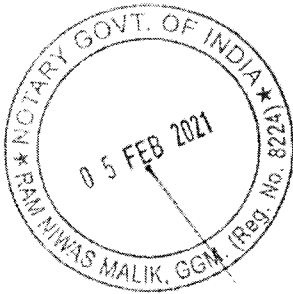
[Handwritten Signature]
DEPONENT

VERIFICATION

I, the deponent above named, do hereby verify that the contents of Paras 1 to 3 of the affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Verified at Gurugram on this 5th day of February, 2021.

[Handwritten Signature]
DEPONENT



ATTESTED
[Handwritten Signature]
RAM NIWAS MALIK, ADVOCATE
NOTARY, GURUGRAM (HR.) INDIA