

ITEM NO.301

COURT NO.10

SECTION XVII

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)

IA No. 76055/2019 - APPLICATION FOR PERMISSION, IA No. 163357/2018-
CLARIFICATION/ DIRECTION, IA No. 76050/2019 -CLARIFICATION/
DIRECTION, IA No. 185448/2018 - EXEMPTION FROM FILING O.T., IA No.
185449/2018 - EXTENSION OF TIME, IA No. 76037/2019 - INTERVENTION
APPLICATION, IA No. 24645/2019 - INTERVENTION APPLICATION, IA No.
24639/2019 - INTERVENTION APPLICATION, IA No. 185446/2018 -
INTERVENTION/IMPLEADMENT, IA No. 70267/2019 - INTERVENTION/
IMPLEADMENT, IA No. 29729/2019 - INTERVENTION/IMPLEADMENT, IA No.
16860/2019 - INTERVENTION/IMPLEADMENT)

WITH

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

(IA 1/2007 FOR PERMISSION TO FILE ANNEXURES, IA No. 35051/2019 -
CLARIFICATION/DIRECTION, IA No. 12/2013 - EXEMPTION FROM FILING
O.T., IA No. 9/2011 - PERMISSION TO FILE ANNEXURES, IA No. 13/2016
- PERMISSION TO FILE ANNEXURES, IA No. 11/2013 - PERMISSION TO FILE
ANNEXURES, IA No. 10/2013 - PERMISSION TO FILE ANNEXURES)

C.A. No. 11108/2016 (XVII)

IA No. 2/2016 - APP FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS

IA No. 168352/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 8196/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 148794/2018 - CLARIFICATION/DIRECTION

IA No. 106354/2018 - CLARIFICATION/DIRECTION

IA No. 86494/2018 - CLARIFICATION/DIRECTION

IA No. 86487/2018 - CLARIFICATION/DIRECTION

IA No. 148790/2018 - INTERVENTION APPLICATION

IA No. 106352/2018 - INTERVENTION APPLICATION

IA No. 86492/2018 - INTERVENTION APPLICATION

IA No. 6125/2019 - INTERVENTION/IMPLEADMENT)

C.A. No. 10851/2016 (XVII)

IA No. 33331/2019 - APPLICATION FOR PERMISSION

IA No. 29665/2019 - CLARIFICATION/DIRECTION

IA No. 138022/2018 - CLARIFICATION/DIRECTION

IA No. 74496/2019 - CLARIFICATION/DIRECTION

IA No. 23396/2018 - CLARIFICATION/DIRECTION

IA No. 69785/2018 - EXEMPTION FROM FILING O.T.

IA No. 89520/2018 - I.A. FOR DIRECTION

IA No. 29804/2019 - INTERVENTION APPLICATION
 IA No. 86677/2018 - INTERVENTION APPLICATION
 IA No. 66018/2018 - INTERVENTION APPLICATION
 IA No. 138019/2018 - INTERVENTION APPLICATION
 IA No. 51916/2019 - INTERVENTION APPLICATION
 IA No. 49108/2018 - INTERVENTION APPLICATION
 IA No. 129613/2018 - INTERVENTION APPLICATION
 IA No. 117001/2018 - INTERVENTION APPLICATION
 IA No. 23393/2018 - INTERVENTION/IMPLEADMENT
 IA No. 145062/2018 - INTERVENTION/IMPLEADMENT
 IA No. 69781/2018 - INTERVENTION/IMPLEADMENT
 IA No. 74495/2019 - INTERVENTION/IMPLEADMENT
 IA No. 49501/2018 - INTERVENTION/IMPLEADMENT
 IA No. 136620/2018 - INTERVENTION/IMPLEADMENT
 IA No. 33334/2019 - INTERVENTION/IMPLEADMENT
 IA No. 2/2016 - PERMISSION TO FILE ANNEXURES)
 C.A. No. 2511-2526/2017 (XVII)

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S.L.P.(C)...CC No. 5129-5130/2017 (XIV)

IA No. 1/2017 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))
 C.A. No. 5174-5181/2017 (XVII)

IA No. 53934/2017 - CLARIFICATION/DIRECTION)
 C.A. No. 5674/2017 (XVII)

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

IA No. 60512/2017 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 98431/2017 - INTERVENTION/IMPLEADMENT)
 C.A. No. 15493/2017 (XVII)

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SLP(Cr1) No. 5978-5979/2017 (II-C)

IA No. 73474/2017 - APPLICATION FOR EXEMPTION FROM FILING CERTIFIED
 AS WELL AS ORDINARY PLAIN COPY OF THE IMPUGNED ORDER
 IA No. 4543/2018 - APPLICATION FOR SUBSTITUTION
 IA No. 77981/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 20867/2018 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 62687/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 1609/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 46262/2018 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 178594/2018 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 123121/2017 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 49475/2019 - APPROPRIATE ORDERS/DIRECTIONS
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 IA No. 55294/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 78602/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 22112/2018 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 55250/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 139538/2017 - APPROPRIATE ORDERS/DIRECTIONS
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 IA No. 23736/2018 - INTERVENTION/IMPLEADMENT
 IA No. 176528/2018 - MODIFICATION
 IA No. 176545/2018 - MODIFICATION
 IA No. 145494/2018 - MODIFICATION OF COURT ORDER
 IA No. 1614/2019 - MODIFICATION OF COURT ORDER
 IA No. 1610/2019 - MODIFICATION OF COURT ORDER
 IA No. 37229/2019 - MODIFICATION OF COURT ORDER
 IA No. 176388/2018 - PERMISSION TO APPEAR AND ARGUE IN PERSON
 IA No. 23251/2018 - PERMISSION TO APPEAR AND ARGUE IN PERSON
 IA No. 108851/2017 - PERMISSION TO APPEAR AND ARGUE IN PERSON
 IA No. 108822/2017 - PERMISSION TO APPEAR AND ARGUE IN PERSON
 IA No. 99900/2018 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 86731/2018 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 138368/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION
 IA No. 107196/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION
 IA No. 71828/2018 - PERMISSION TO FILE APPLICATION FOR DIRECTION
 IA No. 73472/2017 - PERMISSION TO FILE SLP WITHOUT CERTIFIED/PLAIN
 COPY OF IMPUGNED ORDER
 IA No. 4504/2018 - PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS
 IA No. 23839/2018 - PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS
 IA No. 72068/2018 - RECALLING THE COURTS ORDER
 IA No. 13046/2018 - SEEKING CUSTODY CERTIFICATE
 IA No. 39547/2019 - WITHDRAWAL OF CASE / APPLICATION)
 C.A. No. 11008/2017 (XVII)
 (IA No.80805/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT and IA No.85513/2017-INTERVENTION/IMPLEADMENT and IA
 No.85519/2017-INTERVENTION/IMPLEADMENT and IA No.85880/2017-
 INTERVENTION/IMPLEADMENT and IA No.95992/2017-impleading party and
 IA No.98113/2017-APPROPRIATE ORDERS/DIRECTIONS and IA
 No.98117/2017-DELETING THE NAME OF RESPONDENT)
 C.A. No. 17008-17011/2017 (XVII)
 (and
 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA

94577/2017

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 94736/2017

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 96100/2017

FOR CLARIFICATION/DIRECTION ON IA 15770/2018

FOR impleading party ON IA 55457/2018

FOR INTERVENTION/IMPLEADMENT ON IA 55457/2018

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 66025/2018

FOR APPLICATION FOR TRANSPOSITION ON IA 85469/2018

FOR impleading party ON IA 93352/2018

FOR INTERVENTION/IMPLEADMENT ON IA 93352/2018

FOR impleading party ON IA 94782/2018

FOR INTERVENTION/IMPLEADMENT ON IA 94782/2018

FOR impleading party ON IA 94844/2018

FOR INTERVENTION/IMPLEADMENT ON IA 94844/2018

FOR impleading party ON IA 116810/2018

FOR INTERVENTION/IMPLEADMENT ON IA 116810/2018

FOR CLARIFICATION/DIRECTION ON IA 138460/2018

IA No. 85469/2018 - APPLICATION FOR TRANSPOSITION

IA No. 66025/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 96100/2017 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 15770/2018 - CLARIFICATION/DIRECTION

IA No. 138460/2018 - CLARIFICATION/DIRECTION

IA No. 94577/2017 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 94844/2018 - INTERVENTION/IMPLEADMENT

IA No. 94782/2018 - INTERVENTION/IMPLEADMENT

IA No. 93352/2018 - INTERVENTION/IMPLEADMENT

IA No. 55457/2018 - INTERVENTION/IMPLEADMENT

IA No. 116810/2018 - INTERVENTION/IMPLEADMENT

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C.A. No. 16858/2017 (XVII)

IA No. 101622/2018 - CLARIFICATION/DIRECTION

IA No. 71612/2018 - INTERVENTION/IMPLEADMENT

IA No. 50215/2019 - INTERVENTION/IMPLEADMENT

IA No. 108044/2018 - INTERVENTION/IMPLEADMENT

IA No. 101795/2018 - INTERVENTION/IMPLEADMENT)

C.A. No. 20003/2017 (XVII)

(IA No.119851/2017-CONDONATION OF DELAY IN FILING and IA No.119859/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.119854/2017-CONDONATION OF DELAY IN REFILING and IA No.119862/2017-APPROPRIATE ORDERS/DIRECTIONS)

SLP(C) No. 30997/2017 (XVII)

)

C.A. No. 3727/2018 (XVII)

IA No. 41952/2018 - APPROPRIATE ORDERS/DIRECTIONS)

C.A. No. 6837-6838/2018 (XVII)

IA No. 82490/2018 - EX-PARTE INTERIM DIRECTION)

SLP(C) No. 12667/2018 (XVII)

IA No. 127173/2018 - CLARIFICATION/DIRECTION
 IA No. 127169/2018 - INTERVENTION/IMPLEADMENT)
 Diary No(s). 20540/2018 (XVII)

IA No. 104957/2018 - CONDONATION OF DELAY IN FILING APPEAL
 IA No. 104958/2018 - CONDONATION OF DELAY IN REFILING)
 C.A. No. 8524/2018 (XVII)

IA No. 111987/2018 - CLARIFICATION/DIRECTION)
 C.A. No. 10609/2018 (XVII)
)
 SLP(C) No. 30270/2018 (XVII)
)
 Diary No(s). 40477/2018 (XVII)

IA No. 168356/2018 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 168354/2018 - CONDONATION OF DELAY IN FILING
 IA No. 168355/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT)
 W.P.(C) No. 51/2019 (X)

IA No. 8597/2019 - CLARIFICATION/DIRECTION)
 Diary No(s). 1380/2019 (XVII)

IA No. 14639/2019 - CONDONATION OF DELAY IN FILING
 IA No. 14640/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT)
 Diary No(s). 4454/2019 (XVII)

IA No. 30656/2019 - CONDONATION OF DELAY IN FILING
 IA No. 30657/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT)
 C.A. No. 3236/2019 (XVII)
)
 C.A. No. 3269/2019 (XVII)

IA No. 51514/2019 - APPROPRIATE ORDERS/DIRECTIONS)
 C.A. No. 3935/2019 (XVII)
 (FOR ADMISSION and IA No.63737/2019-CLARIFICATION/DIRECTION)
 Diary No(s). 13860/2019 (XVII)

IA No. 68265/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 68264/2019 - CONDONATION OF DELAY IN FILING APPEAL)
 Diary No(s). 13969/2019 (XVII)
 (FOR ADMISSION and I.R. and IA No.71090/2019-CONDONATION OF DELAY
 IN FILING)
 C.A. No. 5177/2019 (XVII)
)
 C.A. No. 5190/2019 (XVII)
 (FOR ADMISSION)

Date : 29-07-2019 These matters were called on for hearing today.

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HON'BLE MR. JUSTICE M.R. SHAH**

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

Mr. K.K. Venugopal, learned Attorney General for India has placed on the record a proposal submitted by NBCC, a public sector undertaking chalking out the modalities for undertaking the completion of the stalled/incomplete projects of the Unitech Group.

Since the home buyers are significant stakeholders in the proposed outcome, we have requested Mr Pawanshree Agrawal, Amicus Curiae to upload the proposal which has been tendered to the Court on the web portal which is maintained by him so as to enable the home buyers to peruse the proposal and make their submissions before the Court. Mr. Pawanshree Agrawal assured that this shall be done during the course of the day.

Any home buyer desirous of making submissions in regard to the

proposal shall be at liberty do so. The submissions of the home buyers shall be in the form of a summary not exceeding one page which shall be e-mailed to the learned Amicus Curiae. The last date for submission shall be 2 August 2019.

Mr. Pawanshree Agrawal shall collate all the submissions and furnish a copy to the Attorney General for India and to the counsel appearing on behalf of the Unitech. Any other person desirous of obtaining a copy shall be at liberty to do so from the office of the Amicus Curiae.

By the order of this Court dated 9 May 2019, the following direction was issued on the request of the counsel appearing for the Employees Provident Fund Organisation ("EPFO"):

"On the request of the learned counsel appearing on behalf of the EPFO, we clarify that the direction which has been issued by this Court imposing a restraint on coercive steps shall not come in the way of the appropriate court or, as the case may be, authority imposing such conditions, if any, contemplated under the law while seeking recourse to remedies."

This clarification was issued in the context of the previous orders passed by this Court on 30 October 2017, 20 November 2017 and 9 April 2018. We clarify that the above direction was issued by this Court on 9 May 2019 at the request of the EPFO and is hence confined only to the EPFO.

List on 9 August 2019 at 2 p.m.

I.A. No. 31375/2019 and I.A. No. 31376/2019

The Justice Dhingra Committee is requested to furnish a report on the nature of the claim which has been made in the above I.As. This may be done within a period of three weeks from today.

I.A. Nos. 94991/2019 and I.A. No. 91808/2019

List on 9 August 2019 at 2 p.m.

**(MANISH SETHI)
COURT MASTER (SH)**

**(SAROJ KUMARI GAUR)
BRANCH OFFICER**