

ITEM NO.1+3

Court 4 (Video Conferencing)

SECTION XVII-A

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.10856/2016

BHUPINDER SINGH

Appellant(s)

VERSUS

UNITECH LTD.

Respondent(s)

(With appln.(s) for PERMISSION, APPROPRIATE ORDERS/DIRECTIONS, CLARIFICATION/DIRECTION, EARLY HEARING APPLICATION, EXEMPTION FROM FILING AFFIDAVIT, EXEMPTION FROM FILING O.T., EXEMPTION FROM PAYING COURT FEE, EXTENSION OF TIME, INTERVENTION, INTERVENTION/IMPLEADMENT, MODIFICATION OF COURT ORDER, PERMISSION TO APPEAR AND ARGUE IN PERSON, PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS 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, APPLICATION FOR SUBSTITUTION, APPROPRIATE ORDERS/DIRECTIONS, CLARIFICATION/DIRECTION, EARLY HEARING APPLICATION, EXEMPTION FROM FILING AFFIDAVIT, INTERIM BAIL, INTERVENTION, INTERVENTION/IMPLEADMENT, MODIFICATION, MODIFICATION OF COURT ORDER, PERMISSION TO APPEAR AND ARGUE IN PERSON and PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, PERMISSION TO FILE APPLICATION FOR DIRECTION, PERMISSION TO FILE SLP WITHOUT CERTIFIED/PLAIN COPY OF IMPUGNED ORDER, PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS, RECALLING THE COURTS ORDER, SEEKING CUSTODY CERTIFICATE and WITHDRAWAL OF CASE / APPLICATION)

S.L.P.(C) No.9572/2007 (XI)

(With appln.(s) for PERMISSION TO FILE ANNEXURES, EXEMPTION FROM FILING O.T., CLARIFICATION/DIRECTION and APPROPRIATE ORDERS/DIRECTIONS and INTERVENTION)

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

(Office report for direction with regard to FDR)

S.L.P.(C)...CC 5129-5130/2017 (XIV)

(With appln.(s) for PERMISSION TO FILE SLP)

C.A. No.5674/2017 (XVII-A)

C.A. Nos.9391-9404/2017 (XVII-A)
(With appln.(s) for APPROPRIATE ORDERS/DIRECTIONS and INTERVENTION/
IMPLEADMENT)

C.A. No.10609/2018 (XVII-A)
Diary No.40477/2018 (XVII-A)
(With appln.(s) for APPROPRIATE ORDERS/DIRECTIONS, CONDONATION OF
DELAY IN FILING and EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

W.P.(C) No.51/2019 (X)
(With appln.(s) for CLARIFICATION/DIRECTION)
Diary No.4454/2019 (XVII-A)
(With appln.(s) for CONDONATION OF DELAY IN FILING and EXEMPTION
FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No.3236/2019 (XVII-A)
C.A. No.3269/2019 (XVII-A)
(With appln.(s) for APPROPRIATE ORDERS/DIRECTIONS)

C.A. No.3935/2019 (XVII-A)
(With appln.(s) for CLARIFICATION/DIRECTION)
Diary No.13860/2019 (XVII-A)
(With appln.(s) for APPROPRIATE ORDERS/DIRECTIONS and CONDONATION
OF DELAY IN FILING APPEAL)
Diary No.13969/2019 (XVII-A)
(With appln.(s) for I.R. and CONDONATION OF DELAY IN FILING)

C.A. No.5177/2019 (XVII-A)
C.A. No.5912/2019 (XVII-A)
C.A. Nos.2496-2497/2020 (XVII-A)
(With appln.(s) for EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT, CONDONATION OF DELAY IN FILING APPEAL, CONDONATION OF
DELAY IN REFILEING /CURING THE DEFECTS and CLARIFICATION/DIRECTION)

CONMT.PET.(C) No.379/2020 in S.L.P.(Cr1) Nos.5978-5979/2017 (II-C)
CONMT.PET.(C) No.442/2020 in S.L.P.(Cr1) Nos.5978-5979/2017 (II-C)
CONMT.PET.(C) No.663/2020 in S.L.P.(Cr1) Nos.5978-5979/2017 (II-C)

C.A. No.10851/2016 (XVII-A)
(With appln.(s) for PERMISSION TO FILE ANNEXURES, INTERVENTION/
IMPLEADMENT, CLARIFICATION/ DIRECTION, INTERVENTION and EXEMPTION
FROM FILING O.T)

C.A. Nos.2511-2526/2017 (XVII-A)
(With appln.(s) for APPROPRIATE ORDERS/DIRECTIONS)

C.A. Nos.5174-5181/2017 (XVII-A)
(With appln.(s) CLARIFICATION/DIRECTION and APPROPRIATE ORDERS/
DIRECTIONS)

C.A. No.15493/2017 (XVII-A)
(With appln.(s) for CLARIFICATION/DIRECTION and TRANSPOSITION)

C.A. No.11008/2017 (XVII-A)
(With appln.(s) for EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT, INTERVENTION/IMPLEADMENT, impleading party, APPROPRIATE
ORDERS / DIRECTIONS and DELETING THE NAME OF RESPONDENT)

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

(With appln.(s) for CLARIFICATION/DIRECTION and INTERVENTION/IMPLEADMENT)

C.A. Nos.17008-17011/2017 (XVII-A)

(With appln.(s) for EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, APPROPRIATE ORDERS/DIRECTIONS, CLARIFICATION/DIRECTION, FOR impleading party, INTERVENTION/IMPLEADMENT and TRANSPOSITION)

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

(With appln.(s) for INTERVENTION/IMPLEADMENT)

S.L.P.(C) Nos.30997/2017 (XVII-A)

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

(With appln.(s) for APPROPRIATE ORDERS/ DIRECTIONS)

C.A. Nos.6837-6838/2018 (XVII-A)

(With appln.(s) for EX-PARTE INTERIM DIRECTION)

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

(With appln.(s) for CLARIFICATION/DIRECTION and INTERVENTION/IMPLEADMENT)

Diary No(s). 20540/2018 (XVII-A)

(With appln.(s) for CONDONATION OF DELAY IN FILING APPEAL and CONDONATION OF DELAY IN REFILEING/ CURING THE DEFECTS)

C.A. No.8524/2018 (XVII-A)

(With appln.(s) for CLARIFICATION/DIRECTION)

S.L.P.(C) No.30270/2018 (XVII-A)

Diary No(s).1380/2019 (XVII-A)

(With appln.(s) for CONDONATION OF DELAY IN FILING and EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No.5190/2019 (XVII-A)

M.A. No.715/2021 in C.A. No.317/2021

(With appln.(s) for IA No.32182/2021- APPROPRIATE ORDERS/ DIRECTIONS)

Date : 25-08-2021 These matters were called on for hearing today.

CORAM :

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

Mr. Pawanshree Agrawal, AOR (A.C.)
Ms. Abhipsa Anamika, Adv.

For Appellant(s) Mr. N. Venkataraman, ASG
Ms. Anubha Agrawal, AOR

Mr. Vipin Kumar, Adv.
Mr. K.K.Srivastava, Adv.
Mr. Rakesh Srivastava, Adv.
Mr. Deepak Goel, AOR
Ms. Urvashi Sharma, Adv.

Mr. Vikas Singh, Sr. Adv.
Mr. Siddhartha Dave, Sr. Adv.
Mr. Vishal Gosain, Adv.
Mr. Anuroop Chakravarti, Adv.
Ms. Neeha Nagpal, Adv.
Ms. Samtem Doma, Adv.
Mr. Mrityunjai Singh, Adv.
Mr. Kapish Seth, Adv.
Mr. Satwik Mishra, Adv.
Ms. Ranjeeta Rohatgi, AOR

Mr. Siddhartha Dave, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Ankur Saigal, Adv.
Mr. Anuroop Chakravarti, Adv.
Ms. Neeha Nagpal, Adv.
Mr. Anshuman Srivastava, Adv.
Mr. E. C. Agrawala, AOR

Mr. Gp. Capt. Karan Singh Bhati, AOR
Mr. Pushpraj Singh, Adv.
Mr. Jaideep Singh, Adv.
Ms. Chitrangda Rastravara, Adv.
Mr. Manvendra Singh Rathore Adv.
Mr. Dashrath Singh, Adv.
Ms. Manisha, Adv.

Ms. Divya Roy, AOR

Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra Adv.
Mr. Kamendra Mishra, AOR

Ms. Hima Lawrence, AOR

Ms. Aswathi M.k., AOR

Col Pahlad Singh Sharma, AOR
Mr. Ajit Sharma, Adv.
Mr. Sushil Kumar Sharma, Adv.

Ms. Nidhi Tewari, Adv.
Mrs. Rachana Joshi Issar, AOR

Mr. Ajay Kumar Talesara, AOR

Mr. Gaurav, AOR

Mr. Joshua Samuel, Adv.
Mr. Sahil Tagotra, AOR

Ms. Uttara Babbar, AOR
Mr. Manan Bansal, Adv.

Ms. Vanshaja Shukla, AOR

Ms. Priyanjali Singh, Adv.
Mr. Rahul Shyam Bhandari, AOR

Dr. Harish Uppal, Adv.
Mr. Tileshwar Prasad, Adv.
Mr. Naresh Aditya Madhav, Adv.
Ms. Prerna Mehta, AOR

Mr. Awanish Kumar, AOR

Mr. Rahul Narayan, AOR
Mr. Shashwat Goel, Adv.

Mr. Himanshu Shekhar, AOR

Mr. Shubhranshu Padhi, AOR
Mr. Ashish Yadav, Adv.
Mr. Rakshit Jain, Adv.
Mr. Vishal Banshal, Adv.

Mr. Pawanshree Agrawal, AOR

Mr. Shikhil Suri, Adv.
Ms. Madhu Suri, Adv.
Mr. T. R. B. Sivakumar, AOR

Ms. Pinky Anand, Sr. Adv.
Ms. Kirti Dua, Adv.
Ms. Priyanjali Singh, AOR

Petitioner-in-person

For Respondent(s)

**Mr. N. Venkataraman, ASG
Ms. Anubha Agrawal, AOR**

**Ms. Madhavi Divan, ASG
Mr. K.M. Nataraj, ASG
Ms. Shraddha Deshmukh, Adv.
Chinmayee Chandra, Adv.
Mr. M.K. Maroria, Adv.
Mr. B.V. Balaramdas AOR
Mr. A. K. Sharma AOR
Mr. Shekhar Vyas, Adv.
Ms. Praveena Gautam, Adv.
Mrs. Anil Katiyar, AOR
Ms. Suhashini Sen, Adv.
Mr. T.A. Khan, Adv.
Mr. Anish Kumar Gupta, Adv.
Mr. B. Krishna Prasad, AOR
Mr. Raj Bahadur Yadav, Adv.
Mr. Ayush Puri, Adv.
Ms. Ruchi Kohli, Adv.
Mr. Prashant Singh B, Adv.
Mr. Amrish Kumar, AOR
Mr. Sughosh Subramaniam, Adv.**

**Mr S.C. Dharmadhikari, Sr. Adv.
Mr Aniruddha Joshi, Adv.
Ms Jasmine Damkewala, AOR
Ms Vaishali Sharma, Adv.
Mr. Dinesh Chander Trehan, Adv.**

**Ms Maninder Acharya, Sr Adv.
Ms Adity Gupta, Adv.
Ms Jasmine Damkewala, AOR
Ms Vaishali Sharma, Adv.
Mr. Dinesh Chander Trehan, Adv.**

**Mr. Parag Tripathi, Sr. Adv.
Mr. Kartik Yadav, Adv.
Mr. Parinay Vasandani, Adv.
Mr. Manhar Singh Saini, Adv.
Ms. Mishika Bajpai, Adv.
Mr. Chandra Prakash, Adv.
M/s DSK Legal**

**Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Rajesh D.M., Adv.
Mr. Aman Gandhi, AOR**

Mr. Abhishek Sharma, Adv.

Mr. Sanpreet Singh Ajmani, Adv.
Mr. Varun Mishra, Adv.
Ms. Tanvi Dubey, Adv.
Ms. Manju Jetley, AOR

Mr. Anil Grover, Sr AAG
Mr. Ajay Bansal, AAG
Ms. Noopur Singhal, Adv.
Mr. Rahul Khurana, Adv.
Mr. Gaurav Yadava, Adv.
Ms. Veena Bansal, Adv.
Mr. Sourav Jindal, Adv.
Mr. Abhishek Garg, Adv.
Mr. Akshay Goyal, Adv.
Mr. Sushil Kumar Anand, Adv.
Mr. Sanjay Kumar Visen, AOR
Mr. Amit Sahni, Adv.

Ms. V. Mohana, Sr. Adv.
Mr. B. Raghunath, Adv.
Ms. N.C. Kavitha, Adv.
Mr. Sriram Parakkat, AOR

Mr. Nikhil Nayyar, Sr. Adv.
Ms. Pritha Srikumar Iyer, AOR
Ms. Vasudha Sharma, Adv.
Mr. Naveen Hegde, Adv.

Mr. Ajay Jain, Adv.
Mr. Jinendra Jain, AOR
Ms. Mitika Choudhary, Adv.
Ms. Tannu, Adv.

Mr. Maitreyee Jagat Joshi, Adv.
Mr. Divyesh Pratap Singh, AOR
Ms. Shivangi Singh, Adv.
Mr. Vikram Pratap Singh, Adv.
Ms. Shailja Yadav, Adv.

Mrs. Kirti Renu Mishra, AOR

Mr. Abhinav Mukerji, AOR
Mrs. Bihu Sharma, Adv.
Ms. Pratishtha Vij, Adv.
Mr. Akshay C. Shrivastava, Adv.

Mr. Sumit Kumar, AOR

Mr. Sajan Poovayya, Sr. Adv.
Mr. Vikram Hegde, Adv.
Mr. Shantanu Lakhotia, Adv.
Ms. Hima Lawrence, AOR
Mr. Pratibhanu Kharolla, Adv.

Mr. Siddharth Batra, AOR
Ms. Shivani Chawla, Adv.

Ms. Garima Prashad, Sr. Adv.
Mr. Nishit Agrawal, AOR
Mr. Harsh Mishra, Adv.

Mr. Dhruv Agrawal, Sr. Adv.
Mr. Nishit Agrawal, AOR
Mr. Harsh Mishra, Adv.

Mr. Akshat Kumar, AOR
Mr. D.K. Rustagi, Adv.

Mr. Saurabh Jain, Adv.
Mr. P.K. Jain, AOR
Mr. P.K. Goswami, Adv.
Mr. S.P. Singh Rathore, Adv.

Mr. Prashant Kumar, Adv.
Ms. Ritu Dubey, Adv.
Mr. Shantanu Sagar, AOR

Mr. Pawan Narang, Adv.
Mr. Lokesh Bholā, Adv.
Mr. Archit Upadhyay, AOR

Ms. Aswathi M.K., AOR

Mr. Rajat Sehgal, AOR

Mr. Ujjwal A. Rana, Adv.
Mr. Himanshu Mehta, Adv.
M/S. Gagrāt and Co, AOR

Mr. Krishnan Venugopal, Sr. Adv.
Mr. Sanjay Bhatt, Adv.
Mr. Sumit Nagpal, Adv.

Ms. Niharika Sharma, Adv.
Ms. Akansha Srivastava, Adv.
Mr. Rabin Majumder, AOR

Ms. Shagun Matta, AOR

Ms. Shobha Gupta, AOR
Ms. Medha Garg, Adv.

Mr. Ashwani Kumar Dubey, AOR
Mr. Pankaj Dubey, Adv.
Mr. Sanjeev Kumar Balian, Adv.
Mr. Manish Kumar, Adv.
Mr. Chandra Shekhar Mishra, Adv.

Mr. Pawanshree Agrawal, AOR

Respondent-in-person

Mr. Ravindra Kumar, AOR

Mr. Ashok Mathur, AOR

Ms. Pritha Srikumar, AOR

Mr. Brijesh Kumar Tamber, AOR
Ms. Hemlata Kharayat, Adv.
Ms. Deepika Raghav, Adv.

Mr. Gyan Prakash Srivastava, AOR

Mr. M. Yogesh Kanna, AOR

Mr. Sandeep Devashish Das, AOR

Mr. Ravindra Bana, AOR

Mr. Siddhartha Jha, AOR

Mr. Abhish Kumar, AOR

Mr. V. K. Monga, AOR
Ms. Gouri Monga, Adv.

M/S. Cyril Amarchand Mangaldas

Mr. Gagan Gupta, AOR

Mr. Soumya Dutta, AOR

Mr. Satyam Reddy, Sr. Adv.
Mr. A. Radhakrishnan, AOR
Ms. Ruma Sarasani , Adv.
Ms. Ritu Bhardwaj, Adv.
Ms. Astha Deep, Adv.

Mr. Atul Kumar, AOR
Mr. Nikunj Dayal, AOR

Mr. Nikhil Swami, AOR
Ms. Divya Swami, Adv.

Mr. Vivek Gupta, AOR

Mr. Arjun Singh Bhati, AOR

Mr. B. Ramana Murthy, AOR

M/S. Kmnp Law Aor, AOR

Mr. Omprakash Ajitsingh Parihar, AOR
Mr. Abhijeet Shah, Adv.
Apurv S, Adv.
Mr.Dushyant Tiwari, Adv.
Mr. Yudhvir Dalal, Adv.

Mr. Rajiv Ranjan Dwivedi, AOR

Mr. Rajesh Kumar Chaurasia, AOR
Mr. Milind Kumar, AOR
Mr. Sureshan P., AOR

Mr. Syed Jafar Alam, AOR
Mr. Himanshu S Sinha, Adv.
Mr. Bhuwan Dhoopar, Adv.

Mrs. B. Sunita Rao, AOR

Mr. Vikrant Pachnanda, AOR
Mr. Mukul Katyal, Adv.

Mr. Sukant Vikram, AOR

Mr. Abhay Kumar, AOR

Mr. Vijay Kumar, Adv.
Mr. Kumar Milind, Adv.
Mr. Shagun Ruhil, Adv.

Mr. M. P. Devanath, AOR

Ms. Madhurima Tatia, AOR

Mr. Vivek Narayan Sharma, AOR
Mr. S.Y. Usmani, Adv.
Mr. M.S. Yadav, Adv.
Mr. Rishi Kumar, Adv.

Mr. Yadav Narender Singh, AOR

Dr. Harish Uppal, Adv.
Mr. Tileshwar Prasad, Adv.
Mr. Naresh Aditya Madhav, Adv.
Mr. Vikas Mehta AOR
Mr. Kushal Sarkar, Adv.

Mr. Vijay Kumar, AOR
Mr. Ashwani Garg, Adv.

Mr. Abdulla Naseeh V.T., Adv.
Mr. C. K. Sasi, AOR

Mr. Vivek Jain, AOR

Mr. Roopansh Purohit, AOR

Mr. Somanatha Padhan, AOR

Mr. S. R. Setia, AOR

Mr. Sriram P., AOR

Mr. Venkateswara Rao Anumolu, AOR
Mr. Deepak Kumar Singh, Adv.
Mr. Vijay Babu, Adv.

Mr. T.N. Singh, AOR
Mr. Vikas Singh, Adv.
Mr. Sham Chand Tanwar, Adv.
Mr. Rajshree Singh, Adv.

Ms. Manjula Gupta, AOR

M/S. Av Global Chambers, AOR

Ms. Rohini Prasad, AOR

Mr. Raj Kamal, AOR

Mr. Rajesh Kumar Gautam, AOR

Mr. Anant Gautam, Adv.

Mr. Nipun Sharma, Adv.

Mr. Madhur Tewatia, Adv.

Mr. Ravi Solankia, Adv.

Mr. Sonal Jain, AOR

Mr. Pankaj Jain, Adv.

Mr. Ashok Kumar Jain, Adv.

Mr. Amit Kasera, Adv.

Mrs. Meenakshi Jain, Adv.

Mr. Bijoy Kumar Jain, AOR

Mr. Atul Sharma, Adv.

Ms. Arveena Sharma, Adv.

Mr. Abhishek Agarwal, AOR

Mr. M. P. Vinod, AOR

Mr. Narender Kumar Verma, AOR

Mr. Gaurav Goel, AOR

Mr. Arjun Harkauli, AOR

Mr. Anirudh Sharma, AOR

Mr. Vivek Singh, AOR

Mr. Sudhansu Palo, AOR

Mr. Jeetender Gupta, AOR

Mr. Praveen Agrawal, AOR

Mr. Prithvi Pal, AOR

Ms. Charu Ambwani, AOR

Ms Swarupama Chaturvedi, AOR

Mr. Manish Kumar Gupta, AOR

Mr. Umang Shankar, AOR

Mr. Vineet Bhagat, AOR

Mr. K.G. Bhagat, Adv.

Ms. Manju Bhagat, Adv.

Ms. Archana Midha, Adv.

Mr. Mohit Gulati, Adv.

Mr. Nikhil Jain, Adv.

Mr. Jatin Zaveri, AOR

Mr. Mohit D. Ram, AOR

Ms. Anshula Vijay Kumar Grover, AOR

Mr. Kailash Pandey, Adv.

Mr. Ranjeet Singh, Adv.

Mr. Gaichangpou Gangmei, AOR

Mr. C.S. Vaidyanathan, Sr. Adv.

Mr. S.Udaya Kumar Sagar, AOR

Ms. Sweena Nair, Adv.

Mr. Tushar Gupta, Adv.

Mr. Roshan Santhalia, AOR

Ms. Pallavi Tayal, AOR

Mr. Ritesh Khara, Adv.

Mr. Akhilesh Adv

Mr. Deepak Goel, AOR

Ms. Urvashi Sharma, Adv.

Mr. Vipin Kumar, Adv.

Mr. Pradeep Jain, Adv.

Mr. Gopal Singh Chauhan, Adv.

Mr. Shubhankar Jha, Adv.

Mr. Deepak Goel, AOR

Ms. Urvashi Sharma, Adv.

Ms. Sujata Kurdukar, AOR

Mr. Ranjit Kumar Sharma, AOR

Ms. Preeti Singh, AOR
Mr. Sunklan Porwal, Adv.
Ms. Manorma Masih, Adv.
Ms, Saumya Dwivedi, Adv.
Mr. Shubham Kaushik, Adv.

Mr. Saurabh Ajay Gupta, AOR
Mr. Nishant Bishnoi, Adv.
Ms. Srishti Prabhakar, Adv.

Mr. Pranav Kumar, AOR

Mr. D. Abhinav Rao, AOR

Ms. Bharti Tyagi, AOR

Mr. Siddhant Sharma, Adv.
Mr. Karan Bharihoke, AOR

Mr. Sunil Fernandes, AOR

Mr. Amit Pawan, AOR

Mr. Rameshwar Prasad Goyal, AOR

Mr. Aakarsh Kamra, AOR

Mr. Kumar Sudeep, Adv.
Mr. Somesh Chandra Jha, AOR

Mrs. Rachna Gupta, AOR

Mr. Vipin Kumar Jai, AOR

Mr. P. N. Puri, AOR

Mr. Sharath Sampath, Adv.
Mr. Tarun Mehta, Adv.
Mr. Manikya Khanna, Adv.
Ms. Nidhi Mohan Parashar, AOR
Mr. Pratyaksh Sharma, Adv.
Mr. Aditya Krishna, Adv.
Mr. Sandeep Bajaj, Adv.
Ms. Aakanksha Nehra, Adv.
Mr. Siddhartha Shukla, Adv.

Mr. Chandan Kumar, AOR

Mr. R. K. Pandey, Adv.
Mr. Atul Sharma, AOR

Mr. Arvind Gupta, AOR
Mr. Rabindra Tiwary, Adv.
Mr. Kumar Law, Adv.
Mr. Ashish Kumar Sinha, Adv.
Mr. Vipin Kumar, Adv.

Mr. Utkarsh Sharma, AOR

Mr. Himanshu Upadhyay, Adv.
Mr. Devesh Partap Singh, Adv.
Ms. Bano Deswal, Adv.
Mr. R. C. Kaushik, AOR

Mr. Dharmendra Kumar Sinha, AOR
Mr. Arun Adlakhia, Adv.
Mr. Naman Gupta, Adv.

Ms. Vibha Mahajan, Adv.
Ms. Upasana Nath, AOR

Mr. Chitranshul Sinha, Adv.
Mr. Anil Agarwal, Adv.
Mr. Jaskaran Singh Bhatia, Adv.
For M/S. Dua Associates

Ms. Tara V. Ganju, Adv.
Ms. Jyoti Mendiratta, AOR

M/S. Hingorani & Associates

Mr. Kaushik Choudhury, AOR

Mr. Preshit Vilas Surshe, AOR

Mr. Vikas Singh, Sr. Adv.
Mr. P.R. Kovilan Poongkuntran, Adv.
Mrs. Geetha Kovilan, AOR

Mr. O. P. Bhadani, AOR

Mr. Ritin Rai, Sr. Adv.
Mr. Rajshekhar Rao, Sr. Adv.

Ms. Liz Mathew, AOR
Ms. Zehra Khan, Adv.
Ms. Kritika Bhardwaj, Adv.
Mr. Vinayak Mehrotra, Adv.
Ms. Sonali Jain, Adv.
Mr. Areeb Amanullah, Adv.
Ms. Shreya Choudhary, Adv.

Mr. Mohit Paul, AOR
Mr. Mohit Jolly, Adv.
Ms. Chand Chopra, Adv.
Ms. Sunaina Phul, Adv.
Ms. Dipika Jain, Adv.

Mr. Neeraj Shekhar, AOR
Dr. Sumit Kumar, Adv.

Mr. Kunal Tandon, Adv
Mr. Surendra Kumar, Adv.
Mr. Tushar Singh, AOR
Ms. Pankhuri, Adv.
Mr. Dhruv Chawla, Adv.
Mr. Mohd. Arif, Adv.
Mr. Akhilesh Yadav, Adv.

Mr. Neeraj Kumar, AOR

Ms. Pinky Anand, Sr. Adv.
Ms. Kirti Dua, Adv.
Ms. Priyanjali Singh, AOR
Mr. Rahul Rathore, Adv.

Mr. Rajesh Kumar Chaurasia, AOR

Mr. Saurabh Chaudhary, Adv.
Ms. Shruti Agarwal, AOR

Mr. Deepak M Nargolkar, Sr. Adv.
Mr. Anant Kumar Vatsya, Adv.
Dr. Avinash Poddar, Adv.
Mr. Ashish Kumar Sinha, Adv.
Mr. Shiv Kumar, Adv.
Mr. Devendra Singh, AOR

Mr. Anand Sukumar, Adv.
Mr. S. Sukumaran, Adv.
Mr. Bhupesh Kumar Pathak, Adv.

Mrs. Meera Mathur, AOR

Mr. Braj Kishore Mishra, AOR
Mr. Vinod Kumar, Adv.
Mr. Abhishek Yadav, Adv.

Mr. A. Henry, Adv.
Mr. Rajiv Mehta, AOR

Mr. Anshay Dhatwalia, Adv.
Ms. Kumud Nijhawan, Adv.
Mr. Ashwani Kumar, AOR

Mr. Jappanpreet Hora, Adv.
Mr. Prabjot Hora, Adv.
Mr. A. Karthik, AOR

Mr. Rohit Sharma, Adv.
Mr. Rounak Nayak, Adv.
Ms. Arju Chaudhary, Adv.
Mr. Kumar Dushyant Singh, AOR

Mr. Shashank Manish, AOR
Ms. Smriti Shah, Adv.
Ms. Nidhi Sahay, Adv.

Mr. Shashi Bhushan P Adganokar, AOR

Mr. Vipin Kumar Jai, AOR

Mr. Manish Shankar Srivastava, Adv
Mr. Vivek Srivastava, Adv.
Mr. Abhishek Kumar Singh, AOR
Ms. Pallavi Singh, Adv.

Mr. Dileep Poolakkot, Adv.
Mr. Harshad V. Hameed, AOR
Mrs. Ashly Harshad, Adv.

Ms. Vibha Datta Makhija, Sr. Adv.
Mr. Shariq Ahmed, Adv.
Mr. Tariq Ahmed, Adv.
Mr. Praveen Gaurav, Adv.
Mr. Karan Mangain, Adv.
Mr. Sunil Kumar Verma, AOR

Ms. Nina Gupta, Adv.

Ms. Ananya Marwah, Adv.
Ms. Ruchika Joshi, Adv.
Mr. P. V. Yogeswaran, AOR

Mr. Mayank Grover, Adv.
Ms. Gurleen Kaur, Adv.
Mr. Jamnesh Kumar, Adv.
Mr. Himanshu Shekhar, AOR

Mr. Manish Kumar Gupta, AOR

Mr. Rajesh Kumar-1, AOR

Mr. Ravi Kumar Tomar, AOR

Mr. P.R Ramasesh, Adv.
Mr. Sanuj Das, Adv.
Mr. Tomy Chacko, Adv.
Mr. Gurudatta Ankolekar AOR

Mr. Utkarsh Sharma, AOR

Mr. Suchit Mohanty, Adv.
Ms. Vandana Mohanty, Adv.
Mr. Dipesh Sinha, AOR

Mr. Rituraj Biswas, AOR
Mr. Rituraj Choudhary, Adv.

Mr. Sandeep Das, AOR
Mr. Dushyant Sarna, Adv.

Ms. Vanshaja Shukla, AOR

Mr. Avinash B. Amarnath, AOR

Mr. Chirag M. Shroff, Adv.
Ms. Abhilasha Bharti, Adv.
Mr. Sushant Dogra, Adv.

Mr. Avinash Sharma, AOR

Mr. Gp. Capt. Karan Singh Bhati, AOR

Mr. Sanjay Kumar Tyagi, AOR

Mr. Ashish Kamat, Adv.

Mr. Ajay Vazirani, Adv.
Mr. Debmalya Banerjee, Adv.
Mr. Ameya Deosthale, Adv.
Mr. Kartik Bhatnagar, Adv.
Mr. Ujjwal Singh, Adv.
Mr. Vardaan Wanchoo, Adv.
Ms. Sharanya Mahimtura, Adv.
Ms. Astha Prasad, Adv.
For M/S. Karanjawala & Co.

Mr. Kavin Gulati Sr. Adv.
Ms. Ruby Singh Ahuja, Adv.
Ms. Hancy Maini, Adv.
Ms. Kritika Sachdeva, Adv.
For M/S. Karanjawala & Co.

Ms. Kumud Lata Das, AOR
Ms. Anita Pandey, Adv.
Mr. Ravi Agrawal, Adv.

Mr. K. K. Mohan, AOR

Mrs. Gargi Khanna, AOR

Mr. Ashish Virmani, AOR

Mr. Rakesh Mishra, AOR
Mr. Sandeep Kumar Dwivedi, Adv.
Mr. Pradeep Kumar Dwivedi, Adv.
Mr. Satyam Pandey, Adv.
Mr. Ram Anugarh Singh, Adv.

Ms. Rakhi Ray, AOR

Mr. Rajesh Singh, AOR

Mr. Rajesh Kumar, AOR

Applicant-in-person

Mr. S. K. Verma, AOR

Mr. Gaurav Sarin, Adv.
Mr. Sumit R. Sharma, AOR

Mr. Nitin Saluja, AOR

Mr. Yakesh Anand, Adv.
Ms. Sonam Anand, Adv.
Ms. Deepshika Sansanwal, Adv.
Mr. Santhosh Krishnan, AOR

Ms. Kamakshi S. Mehlwal, AOR

Mr. Sanjay Jain, AOR

Mr. Udayaditya Banerjee, AOR

Mr. Sunder Khatri, Adv.
Mrs. Shital Khatri, Adv.
Mrs. Vandana Surana, Adv.
Ms. Priya Kashyap, Adv.
Ms. Vandana Surana, Adv.
Mr. Rajesh Goyal AOR

Mr. S. Rajappa, AOR

Mr. T. Mahipal, AOR

Mr. Tarun Gupta, AOR

Mr. Vikram Singh, AOR

Mr. Kaushik Poddar, AOR

Ms. Divya Roy, AOR

Mr. Aditya Singh, AOR

Mr. Preshit Vilas Surshe, AOR

Mr. Anupam Lal Das, Sr. Adv.
Mr. Nakul Mohta, Adv.
Ms. Misha Rohatgi Mohta, AOR
Mr. Devansh Srivastava, Adv.

Mr. P. S. Sudheer, AOR

Ms. Filza Moonis, AOR

Mr. Chandra Bhushan Prasad, AOR

Mr. Ilin Saraswat, Adv.
Ms. Swati Jain, Adv.

Mr. M. M. Kashyap, AOR
Ms. Ilma Saifi, Adv.

Mr. E. C. Agrawala, AOR

Mr. Abhishek Aggarwal, Adv.
Mr. Ravi Panwar, AOR

Mr. Jay Kishor Singh, AOR

Mr. M. R. Shamshad, AOR

Mr. Rajeev Singh, AOR

Mr. Sanjay Parikh, Sr. Adv.
Mr. Pukhrambham Ramesh Kumar, AOR
Ms. Anupama Ngangom, Adv.
Mr. Karun Sharma, Adv.

Ms. Charu Mathur, AOR

Mr. Siddharth, AOR

Mr. Aniruddha P. Mayee, AOR

Mr. Sunil Kumar Verma, AOR

Mr. Birendra Kumar Mishra, AOR

Mr. Abhinav Shrivastava, AOR

Ms. Jaikriti S. Jadeja, AOR

Ms. Rashmi Bansal, AOR

M/S. Devasa & Co.

Mr. Aman Raj Gandhi, AOR

Mr. Amit Sharma, AOR

Mr. Mayank Goel, AOR

Ms. Harsh Lata, AOR

Mr. R Shubham Seth, Adv.
Mr. Nikilesh Ramachandran, AOR

Mr. Gopal Jha, AOR

Mr. Akshat Shrivastava, AOR

Mr. Shashibhushan P. Adgaonkar, AOR

Mr. Amit Kumar, AOR

Mr. Kedar Nath Tripathy, AOR

Mr. Balaji Srinivasan, AOR

Col. Pahlad Singh Sharma, AOR

Mr. Ajit Sharma, AOR

Col Sushil Kumar Sharma, Adv.

Ms. Mridula Ray Bharadwaj, AOR

Mr. M.L. Lahoty, Adv.

Mr. Paban K. Sharma, Adv.

Mr. Anchit Sripat, adv.

Mr. Himanshu Shekhar, AOR

Dr. Vinod Kumar Tewari, AOR

Mr. Awanish Kumar, AOR

Mr. Aldanish Rein, AOR

Mr. Kaustubh Anshuraj, AOR

Mr. Krishna Kumar Singh, AOR

Mr. Ashwarya Sinha, AOR

Mr. Jaideep Gupta, Sr. Adv.

Mr. Partha Sil, AOR

Mr. Tavish B. Prasad, Adv.

Ms. Rashmi Nandakumar, AOR

Mr. Shantanu Krishna, AOR

Ms. Jyoti Mendiratta, AOR

Mr. Kaushik Choudhury, AOR

Mr. Ayush Sharma, AOR

Mr. Vaibhav Kumar, AOR

Mr. Aneesh Mittal, AOR

Mr. Darpan KM, Adv.

Ms. Amrita Sharma, Adv.

Mr. Rajat Jonathan Shaw, Adv.

Ms. Hetu Arora Sethi, AOR

Mr. Pratap Shanker, Adv.

Ms. Nupur Prasad, Adv.

Mr. Ankit Kumar, Adv.

Mr. Swetank Shantanu, AOR

Mr. Utsav Trivedi, Adv.

Mr. Abhinay, AOR

Ms. Unnati Vijay, Adv.

Ms. Aishwarya Samal, Adv.

Mr. Arup Banerjee, AOR

Mr. Sanjeev Sharma, Adv.

Ms. Eshna Kumar, Adv.

Mr. Udit Gupta, Adv.

Mr. Anup Jain, Adv.

For Udit Kishan & Associates

Mr. Brijendra Singh, Adv.

Mr. Shishir Kr. Saxena, Adv.

Mr. R.N. Pareek, Adv.

Mr. Jagdamba Singh, Adv.

Ms. Payal Swarup, Adv.

Ms. Archana Sharma, Adv.

Mr. Praveen Swarup, AOR

Ms. Shikha Dixit, in-person

Mr. Gopal Sankaranarayanan, Sr. Adv.

Mr. Abhay Singh, Adv.

Ms. Ankita Agarwal, Adv.

Mr. Kaustubh Shukla, Adv.

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

- 1 The report of the *Amicus Curiae* dated 11 August 2021 has annexed a copy of the Tax invoice submitted by M/s Grant Thornton (the auditors who were appointed to conduct a forensic audit by this Court) on 17 September 2021 for the submission of the final report dated 15 July 2021 including expenses quantified at Rs 54,21,084.
- 2 During the course of the previous hearing, the invoice being drawn to the attention of the Court, Mr N Venkataraman, ASG was requested to seek instructions from the Board of Management. The ASG states that there is no objection to the payment of the bill of the auditors.
- 3 The Registry is accordingly directed to disburse the amount of Rs 54,21,084 to M/s Grant Thornton towards full and final payment of their final invoice dated 17 September 2021. Since the tax invoice is inclusive of GST, the liability towards GST shall be borne by the auditors.

IA 50683 of 2021 (Project Management Consultants)

- 1 During the course of the hearing, from the material which has been placed on the record by Mr N Venkataraman, ASG, it has emerged that there are 74 residential and 10 commercial projects of Unitech Limited under construction under which possession of about 15,000 units has to be delivered to the home buyers. Simultaneously, the construction and completion of an unsold stock of about 4,000 units has to be taken up. Out of the above projects, 35 projects comprising of 8,008 units (5,918 'sold units' of which possession has to be given and 2,090 'unsold units') have been assigned to Assets Reconstruction Companies (ARCs).
- 2 There are three ARCs involved in the matter:
 - (i) Suraksha ARC;

- (ii) JM Financial ARC; and
- (iii) Edelweiss ARC.

It is common ground that of the above three ARCs, the assignment pertains to two of them, namely, Suraksha ARC and JM Financial ARC. All the three ARCs are represented before the Court by Mr Parag P Tripathi, learned Senior Counsel, Mr Chitranshul Sinha, learned counsel, and Mr Krishnan Venugopal, learned Senior Counsel.

- 3 In order to enter into a comprehensive settlement with the ARCs, the new Board of Management of Unitech Limited has proposed to enter into discussions with their senior management and to place agreed modalities before the Court. For this purpose, a Sub-Committee has been constituted by the new Board of Management which would conduct discussions with the ARCs.
- 4 We permit the new Board of Management to enter upon discussions with the ARCs and to place the modalities for the way forward before this Court, within a period of four weeks. All the ARCs shall cooperate with the new Board of Management by attending the meetings as and when convened for the purposes of resolving their claims.
- 5 It would be necessary to bear in mind the facts pertaining to the transaction with each ARC separately. In particular, Mr Krishnan Venugopal, Senior Counsel apprised the Court of the fact that there has been no project assignment to Edelweiss ARC.
- 6 Mr Ravindra Kumar, learned counsel, who appeared on behalf of NOIDA and Greater NOIDA submits that objections which have been filed to the resolution framework proposed by the new Board of Management, insofar as it impinges upon the rights of NOIDA and Greater NOIDA as land owning units and planning authorities.

- 7 At this stage, without this Court being required to go into the details under each head of objection, it would serve the ends of justice if the Sub-Committee nominated by the Board of Management of Unitech Limited and the concerned officials of NOIDA and Greater NOIDA at a senior level engage in discussions so as to provide a way forward which, while protecting the interests of these statutory authorities would protect the interests of the ultimate flat purchasers. We expect that both NOIDA and Greater NOIDA shall find a pragmatic solution to an issue which has been raised, including their demands. Both sets of bodies shall, therefore, cooperate with the new Board of Management for which meetings may be convened within a period of four weeks from today. The Court may be apprised of the progress which has been made pursuant to the meetings.
- 8 Mr Anil Grover, Senior AAG, appears on behalf of the State of Haryana and its authorities. Following the modalities which have been prescribed for discussions with the authorities of NOIDA and Greater NOIDA, similar discussions be conducted with the authorities of the State of Haryana within a period of four weeks from today so that the claims and demands which are outstanding and the licences and permissions which are required to be renewed can be specifically identified. The authorities of the State of Haryana shall nominate a nodal officer at a senior level for engaging in the discussions with the new Board of Management.
- 9 List IA 50683 of 2021 after four weeks.
- 10 List the matters tomorrow (26 August 2021) after fresh matters.

MA No 715/2021 in Civil Appeal No 317/2021

- 1 This miscellaneous application has been filed by the Board of Management of Unitech Limited for ensuring that compliance is effected by TSIIIC with the final judgment of this Court dated 17 February 2021.
- 2 There is an outstanding issue in regard to the stamp duty and penalty payable on the Development Agreement.

- 3 A reply has been filed by the General Manager (AM) Legal of TSIIIC. The affidavit encloses a notification of the Revenue (Registration-I) Department dated 1 April 2008 by which the earlier GOMs No 1475 Rev (Regn-I) Department dated 30 July 2005 has been withdrawn. A copy of a communication dated 25 May 2021 of the District Registrar, Ranga Reddy District is annexed. The District Registrar has quantified the deficit stamp duty at Rs 1,34,75,000 on which penalty of ten times the stamp duty has been imposed, amounting to Rs 13,47,50,000. Together with the penalty, a total demand of Rs 14,82,25,000 has been levied.
- 4 There is a judgment of a three-Judge Bench of this Court in ***Trustees of H C Dhanda Trust vs State of Madhya Pradesh*** (2020) 9 SCC 510 construing similar provisions which has been relied upon by Mr N Venkataraman, learned ASG. This Court has held that when ten times the amount of proper duty or deficient portion exceeds five rupees, a sum equal to ten times such duty or portion is required to be deposited. At the same time, the Collector is empowered to refund the penalty in his discretion, which ought to be exercised reasonably.
- 5 Having regard to the above decision, Mr C S Vaidyanathan, learned senior counsel appearing on behalf of TSIIIC has suggested that the penalty payable on the deficit stamp duty may be computed on any reasonable basis and the authority would accept such a determination. In the judgment which has been referred to above, the penalty was modified by the order of this Court to five times. In our view, the ends of justice would be met if the total quantum of penalty is determined at three times the deficit stamp duty of Rs 1,34,75,000. There was a long standing litigation between the Unitech Limited and TSIIIC until it was finally resolved by the judgment of this Court. The penalty is hence reduced in the facts and circumstances as noted above.
- 6 The balance which is due by TSIIIC to the petitioners after adjusting the deficit stamp duty and penalty redetermined in the above terms, shall be paid over within a period of four weeks, in accordance with the judgment of this Court dated 17 February 2021.

7 The Miscellaneous Application is accordingly disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Court Master