

ITEM NO.64

COURT NO.11

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.10856/2016

BHUPINDER SINGH

Appellant(s)

VERSUS

UNITECH LTD.

Respondent(s)

WITH

C.A. No.10851/2016 (XVII)  
IA No.2/2016-PERMISSION TO FILE ANNEXURES

C.A. Nos.2511-2526/2017 (XVII)  
(IA No.66938/2017-EXTENSION OF TIME and IA No.90673/2017-EXTENSION  
OF TIME)  
S.L.P.(C)...CC Nos.5129-5130/2017 (XIV)  
IA No.1/2017-PERMISSION TO FILE PETITION (SLP/TP/WP..)

C.A. Nos.5174-5181/2017 (XVII)  
IA No.53934/2017-CLARIFICATION/DIRECTION

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

C.A. No. 9391-9404/2017 (XVII)  
(FOR impleading party ON IA 98431/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 98431/2017)  
IA NO.60512/2017-APPROPRIATE ORDERS/DIRECTIONS

C.A. No. 15493/2017 (XVII)  
(IA No.77581/2017-CONDONATION OF DELAY IN FILING and IA  
No.77582/2017-CLARIFICATION/DIRECTION and IA No.78654/2017-  
PERMISSION TO FILE ADDITIONAL DOCUMENTS and IA No.82788/2017-  
PERMISSION TO FILE ADDITIONAL DOCUMENTS)

SLP(Cr1) No. 5978-5979/2017 (II-C)  
IA No.73472/2017-PERMISSION TO FILE SLP WITHOUT CERTIFIED/PLAIN  
COPY OF THE IMPUGNED ORDER

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 PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 94736/2017  
 FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 96100/2017  
 FOR CLARIFICATION/DIRECTION ON IA 15770/2018)**

**C.A. No. 16858/2017 (XVII)  
 (FOR ADMISSION and IA No.97166/2017-PERMISSION TO FILE APPEAL and  
 IA No.112640/2017-impleading party and IA No.112648/2017-  
 APPLICATION FOR TRANSPOSITION and IA No.128215/2017-impleading  
 party)**

**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)  
 (FOR ADMISSION and I.R.)**

**C.A. No. 3727/2018 (XVII)  
 (FOR ADMISSION and I.R. and IA No.41950/2018-CONDONATION OF DELAY  
 IN FILING and 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)  
 (FOR ADMISSION and I.R.)**

**Diary No(s). 20540/2018 (XVII)  
 ( IA No.104959/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
 JUDGMENT and IA No.104957/2018-CONDONATION OF DELAY IN FILING  
 APPEAL and IA No.104958/2018-CONDONATION OF DELAY IN REFILING)**

**C.A. No.8524/2018 (XVII)  
 IA No.-10609/2018-CONDONATION OF DELAY IN FILING**

**C.A. No. 10609/2018 (XVII)  
 ( IA No.141034/2018-CONDONATION OF DELAY IN FILING)**

**SLP(C) No.30270/2018 (XVII)  
 (FOR ADMISSION and I.R. and IA No.164959/2018-EXEMPTION FROM FILING  
 C/C OF THE IMPUGNED JUDGMENT)**

**Diary No(s).40477/2018 (XVII)  
 ( IA No.168354/2018-CONDONATION OF DELAY IN FILING and IA  
 No.168355/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT  
 and IA No.168356/2018-APPROPRIATE ORDERS/DIRECTIONS)**

**Date : 18-01-2019 These matters were called on for hearing today.**

**CORAM :**

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Mr. K.K. Krishnan Raj, Adv.  
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UPON hearing the counsel the Court made the following  
O R D E R

Mr. Samir Paranjpe, Partner, Forensic & Investigation Services in M/s Grant Thornton India LLP ("GT") has presented before the Court an "Approach Note for Forensic Audit of M/S Unitech Limited" in pursuance of the previous order dated 7 December 2018. The approach note sets out the modalities which the forensic auditors intend to follow.

In phase-1, it is proposed that the focus will be on 74 construction projects and the entities of Unitech involved in this project.

Steps which have been proposed in the approach note include:

- (i) Planning data collection;
- (ii) Forensic analytics and analysis of money trail;
- (iii) Computer Forensic Procedures;
- (iv) Public domain search and site visits; and
- (v) Consolidation and Reporting.

The Approach Note indicates that the field work would take about 10-11 weeks from the availability of 60% of the data. A draft report is likely to be presented in a week from the completion of the field work in order to enable the forensic Auditors to initiate the process. We permit the forensic auditors to embark upon and commence the work.

Unitech Limited shall identify and nominate two of its Directors and a team of three Senior officers who shall coordinate with the forensic auditors for the purpose of supplying all the data, materials and information as is required by the auditors.

The Directors, who shall be nominated, will not include any of the Directors who are presently in jail. The team so nominated must report on a daily basis to Mr. Samir Paranjpe and furnish the required data within a period of 48 hours of a requisition being made.

The Chief Financial Officer of Unitech Limited shall be one of the officers to be nominated for the above purpose.

Learned Amicus Curiae is at liberty to place reports before this Court in phases for the release of remuneration to the forensic auditors.

List on 23.1.2019 at 2:00 p.m as part-heard.

(POOJA ARORA)  
COURT MASTER

(SAROJ KUMARI GAUR)  
BRANCH OFFICER