## SUPREME COURT OF INDIA RECORD OF PROCEEDINGS

Civil Appeal No(s).10856/2016

BHUPINDER SINGH Appellant(s)

**VERSUS** 

UNITECH LTD. Respondent(s)

(IA No.76055/2019 - APPLICATION FOR PERMISSION, IA No.197127/2022 -APPLICATION FOR PERMISSION, IA No.137045/2024 - APPLICATION FOR 106211/2024 - APPLICATION FOR PERMISSION, PERMISSION, IA No. No.143717/2022 - APPLICATION FOR PERMISSION, IA No. 35126/2021 -APPLICATION FOR PERMISSION, IA No. 158167/2021 - APPLICATION FOR 155305/2022 - APPLICATION FOR PERMISSION, PERMISSION, IA No. No.33906/2022 - APPLICATION FOR PERMISSION, IA No. 160626/2023 APPLICATION FOR SUBSTITUTION, IA No. 108881/2024 - APPLICATION FOR TAKING ON RECORD, IA No. 108879/2024 - APPLICATION FOR TAKING ON IA No. 77795/2022 -APPROPRIATE ORDERS/DIRECTIONS, No.102847/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 108201/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 12105/2020 - APPROPRIATE IA No.79813/2020 ORDERS/DIRECTIONS, **APPROPRIATE** ORDERS/DIRECTIONS, IA No.141664/2023 **APPROPRIATE** ORDERS/DIRECTIONS, IΑ No.241957/2023 **APPROPRIATE** ORDERS/DIRECTIONS, IΑ No.27263/2024 **APPROPRIATE** IΑ ORDERS/DIRECTIONS, No.71283/2021 **APPROPRIATE** IA ORDERS/DIRECTIONS, No.90841/2021 **APPROPRIATE** ORDERS/DIRECTIONS, IΑ No.96264/2021 **APPROPRIATE** ORDERS/DIRECTIONS, IΑ No.249112/2024 **APPROPRIATE** ORDERS/DIRECTIONS, IA No.68319/2022 **APPROPRIATE** ΙA ORDERS/DIRECTIONS, No.152414/2022 **APPROPRIATE** ORDERS/DIRECTIONS, IΑ No.97388/2020 **APPROPRIATE** ORDERS/DIRECTIONS, IA No.192119/2023 **APPROPRIATE APPROPRIATE** ORDERS/DIRECTIONS, IA No. 210625/2023 ORDERS/DIRECTIONS, IΑ No. 262717/2023 **APPROPRIATE** ORDERS/DIRECTIONS, IA No. 49835/2024 **APPROPRIATE** IΑ ORDERS/DIRECTIONS, No. 159386/2024 **APPROPRIATE** ORDERS/DIRECTIONS, IA No. 249056/2024 **APPROPRIATE** ORDERS/DIRECTIONS, IA No. 1580/2022 **APPROPRIATE** ORDERS/DIRECTIONS, IA No. 77599/2022 **APPROPRIATE** IA ORDERS/DIRECTIONS, No. 103154/2022 **APPROPRIATE** ORDERS/DIRECTIONS, IΑ 118418/2019 No. **APPROPRIATE** ORDERS/DIRECTIONS, IA No. 131930/2019 **APPROPRIATE** ORDERS/DIRECTIONS, IΑ No. 161365/2022 **APPROPRIATE** ORDERS/DIRECTIONS, IA No. 20464/2023 **APPROPRIATE** ORDERS/DIRECTIONS, IA No. 80954/2020 **APPROPRIATE** ORDERS/DIRECTIONS, IA No. 95718/2020 **APPROPRIATE** ORDERS/DIRECTIONS, ΙA No. 158356/2023 **APPROPRIATE** ORDERS/DIRECTIONS, IA 6512/2021 **APPROPRIATE** No.

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IA No. 168586/2019 - INTERVENTION/IMPLEADMENT
IA No. 152397/2022 - INTERVENTION/IMPLEADMENT
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IA No. 21735/2021 - INTERVENTION/IMPLEADMENT
IA No. 192118/2023 - INTERVENTION/IMPLEADMENT
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IA No. 33812/2021 - INTERVENTION/IMPLEADMENT
IA No. 262385/2023 - INTERVENTION/IMPLEADMENT
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IA No. 21684/2021 - INTERVENTION/IMPLEADMENT
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IA No. 33676/2021 - INTERVENTION/IMPLEADMENT
IA No. 33917/2021 - INTERVENTION/IMPLEADMENT
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IA No. 191270/2024 - INTERVENTION/IMPLEADMENT
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IA No. 76105/2022 - INTERVENTION/IMPLEADMENT
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IA No. 79842/2020 - INTERVENTION/IMPLEADMENT
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IA No. 141680/2023 - INTERVENTION/IMPLEADMENT
IA No. 29915/2021 - INTERVENTION/IMPLEADMENT
IA No. 33378/2021 - INTERVENTION/IMPLEADMENT
IA No. 213132/2023 - INTERVENTION/IMPLEADMENT
IA No. 33898/2021 - INTERVENTION/IMPLEADMENT
IA No. 242569/2023 - INTERVENTION/IMPLEADMENT
IA No. 34099/2021 - INTERVENTION/IMPLEADMENT
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IA No. 4142/2024 - INTERVENTION/IMPLEADMENT
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- IA No. 94412/2021 INTERVENTION/IMPLEADMENT
- IA No. 215479/2024 INTERVENTION/IMPLEADMENT
- IA No. 68334/2022 INTERVENTION/IMPLEADMENT
- IA No. 16860/2019 INTERVENTION/IMPLEADMENT
- IA No. 48514/2021 MODIFICATION OF COURT ORDER
- IA No. 172293/2022 MODIFICATION OF COURT ORDER
- IA No. 15360/2022 MODIFICATION OF COURT ORDER
- IA No. 62276/2023 MODIFICATION OF COURT ORDER
- IA No. 265325/2023 PERMISSION TO ADD FURTHER ADDITIONAL PRAYERS IN THE APPLICATION FOR DIRECTION
  - IA No. 48542/2023 PERMISSION TO APPEAR AND ARGUE IN PERSON
  - IA No. 10075/2020 PERMISSION TO APPEAR AND ARGUE IN PERSON
- IA No. 50725/2021 PERMISSION TO APPEAR AND ARGUE IN PERSON
- IA No. 172305/2022 PERMISSION TO APPEAR AND ARGUE IN PERSON
- IA No. 186764/2022 PERMISSION TO APPEAR AND ARGUE IN PERSON
- IA NO. 129480/2021 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA NO. 133550/2022 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA NO. 64112/2020 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA NO. 35911/2021 PERMISSION TO FILE ADDITIONAL

#### DOCUMENTS/FACTS/ANNEXURES

- IA No. 91481/2024 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 90527/2020 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 60531/2022 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 176991/2023 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 213941/2023 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 42854/2021 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No.105841/2024 PERMISSION TO FILE APPLICATION FOR DIRECTION, IA No. 230693/2023 PERMISSION TO FILE APPLICATION FOR DIRECTION, IA No. 261877/2023 PERMISSION TO FILE APPLICATION FOR DIRECTION
- IA No. 261059/2024 PERMISSION TO FILE APPLICATION FOR DIRECTION
- IA No. 108815/2024 PERMISSION TO FILE APPLICATION FOR DIRECTION
- IA No. 173368/2024 PERMISSION TO FILE APPLICATION FOR DIRECTION
- IA No. 138143/2024 PERMISSION TO FILE APPLICATION FOR DIRECTION
- IA No. 167411/2024 PERMISSION TO FILE APPLICATION FOR DIRECTION
- IA No. 5463/2021 PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS
- IA No. 103803/2023 RECALLING THE COURTS ORDER
- IA No. 210624/2023 RECALLING THE COURTS ORDER
- IA No. 268172/2024 RECALLING THE COURTS ORDER
- IA No. 271490/2024 RECOVERY OF THE AMOUNT
- IA No. 65400/2020 WITHDRAWAL OF CASE / APPLICATION
- IA No. 67009/2020 WITHDRAWAL OF CASE / APPLICATION
- IA No. 54898/2023 WITHDRAWAL OF CASE / APPLICATION)

#### WITH

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

(IA No. 33331/2019 - APPLICATION FOR PERMISSION

IA No. 21448/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 88210/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 17367/2019 - APPROPRIATE ORDERS/DIRECTIONS

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IA No. 25345/2019 - APPROPRIATE ORDERS/DIRECTIONS
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- IA No. 180925/2018 CLARIFICATION/DIRECTION
- IA No. 23396/2018 CLARIFICATION/DIRECTION
- IA No. 163362/2018 CLARIFICATION/DIRECTION
- IA No. 173263/2018 CLARIFICATION/DIRECTION
- IA No. 178091/2018 CLARIFICATION/DIRECTION
- IA No. 20799/2019 CLARIFICATION/DIRECTION
- IA No. 95716/2019 CLARIFICATION/DIRECTION
- IA No. 138022/2018 CLARIFICATION/DIRECTION
- IA No. 29665/2019 CLARIFICATION/DIRECTION
- IA No. 95478/2019 CLARIFICATION/DIRECTION
- IA No. 74496/2019 CLARIFICATION/DIRECTION
- IA No. 174746/2018 CLARIFICATION/DIRECTION
- IA No. 106922/2023 CLARIFICATION/DIRECTION
- IA No. 33335/2019 CONDONATION OF DELAY IN FILING
- IA No. 69785/2018 EXEMPTION FROM FILING O.T.
- IA No. 3/2016 EXTENSION OF TIME
- IA No. 89520/2018 I.A. FOR DIRECTION
- IA No. 129613/2018 INTERVENTION APPLICATION
- IA No. 167212/2018 INTERVENTION APPLICATION
- IA No. 174737/2018 INTERVENTION APPLICATION
- IA No. 11894/2019 INTERVENTION APPLICATION
- IA No. 25344/2019 INTERVENTION APPLICATION
- IA No. 51916/2019 INTERVENTION APPLICATION
- IA No. 49108/2018 INTERVENTION APPLICATION
- IA No. 117001/2018 INTERVENTION APPLICATION
- IA No. 167201/2018 INTERVENTION APPLICATION
- IA No. 86677/2018 INTERVENTION APPLICATION
- IA No. 157828/2018 INTERVENTION APPLICATION
- IA No. 171221/2018 INTERVENTION APPLICATION
- IA No. 29804/2019 INTERVENTION APPLICATION
- IA No. 176820/2018 INTERVENTION APPLICATION
- IA No. 66018/2018 INTERVENTION APPLICATION
- IA No. 138019/2018 INTERVENTION APPLICATION
- IA No. 175615/2018 INTERVENTION APPLICATION
- IA No. 106916/2023 INTERVENTION/IMPLEADMENT
- IA No. 173821/2018 INTERVENTION/IMPLEADMENT
- IA No. 180923/2018 INTERVENTION/IMPLEADMENT
- IA No. 21446/2019 INTERVENTION/IMPLEADMENT
- IA No. 33334/2019 INTERVENTION/IMPLEADMENT
- IA No. 88209/2020 INTERVENTION/IMPLEADMENT
- IA No. 23393/2018 INTERVENTION/IMPLEADMENT
- IA No. 173262/2018 INTERVENTION/IMPLEADMENT
- IA No. 137977/2019 INTERVENTION/IMPLEADMENT
- IA No. 145062/2018 INTERVENTION/IMPLEADMENT
- IA No. 178089/2018 INTERVENTION/IMPLEADMENT
- IA No. 20786/2019 INTERVENTION/IMPLEADMENT
- IA No. 69781/2018 INTERVENTION/IMPLEADMENT
- IA No. 168480/2018 INTERVENTION/IMPLEADMENT
- IA No. 168472/2018 INTERVENTION/IMPLEADMENT
- IA No. 29663/2019 INTERVENTION/IMPLEADMENT
- IA No. 136620/2018 INTERVENTION/IMPLEADMENT
- IA No. 168465/2018 INTERVENTION/IMPLEADMENT

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IA No. 17366/2019 - INTERVENTION/IMPLEADMENT
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IA No. 74495/2019 - INTERVENTION/IMPLEADMENT

IA No. 49501/2018 - INTERVENTION/IMPLEADMENT

IA No. 17369/2019 - PERMISSION TO APPEAR AND ARGUE IN PERSON

IA No. 2/2016 - PERMISSION TO FILE ANNEXURES)

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

(IA No. 62370/2023 - APPLICATION FOR PERMISSION

IA No. 96103/2023 - APPLICATION FOR PERMISSION

IA No. 62339/2023 - APPLICATION FOR PERMISSION

IA No. 60512/2017 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 62342/2023 - EXEMPTION FROM FILING ANNEXTURES

IA No. 67730/2023 - EXEMPTION FROM FILING ANNEXTURES

IA No. 66220/2023 - EXEMPTION FROM FILING ANNEXTURES

IA No. 62372/2023 - EXEMPTION FROM FILING ANNEXTURES

IA No. 98431/2017 - INTERVENTION/IMPLEADMENT

IA No. 96100/2023 - REFUND OF COST/Court Fee

IA No. 67725/2023 - REFUND OF COST/Court Fee

IA No. 66198/2023 - REFUND OF COST/Court Fee)

## SLP(Crl) 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. 108673/2020 - APPLICATION FOR SUBSTITUTION

IA No. 4543/2018 - APPLICATION FOR SUBSTITUTION

IA No. 50993/2023 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 178594/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 62687/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 144618/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 160828/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 32223/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 85172/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 87314/2017 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 166350/2023 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 107358/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 22112/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 186266/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 27782/2023 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 94991/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 139538/2017 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 106597/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 130551/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 42735/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 19287/2021 - APPROPRIATE ORDERS/DIRECTIONS

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IA No. 102131/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 20867/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 42731/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 80849/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 60286/2021 - APPROPRIATE ORDERS/DIRECTIONS

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IA No. 152736/2022 - APPROPRIATE ORDERS/DIRECTIONS

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IA No. 66140/2020 - EXEMPTION FROM FILING AFFIDAVIT
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IA No. 65080/2020 - EXEMPTION FROM FILING AFFIDAVIT
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- IA No. 77929/2020 EXEMPTION FROM FILING AFFIDAVIT
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IA No. 107196/2017 - 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
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IA No. 23839/2018 - PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS

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IA No. 72068/2018 - RECALLING THE COURTS ORDER
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IA No. 13046/2018 - SEEKING CUSTODY CERTIFICATE

IA No. 39547/2019 - WITHDRAWAL OF CASE / APPLICATION)

### C.A. No.11008/2017 (XVII-A)

(IA No. 80805/2017 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

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

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

IA No. 168352/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 63024/2017 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 57209/2017 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 85400/2017 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 8196/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 86487/2018 - CLARIFICATION/DIRECTION

IA No. 148794/2018 - CLARIFICATION/DIRECTION

IA No. 106354/2018 - CLARIFICATION/DIRECTION

IA No. 86494/2018 - CLARIFICATION/DIRECTION

IA No. 6/2017 - EXTENSION OF TIME

IA No. 7/2017 - INTERVENTION APPLICATION

IA No. 84380/2017 - INTERVENTION APPLICATION

IA No. 130619/2017 - INTERVENTION APPLICATION

IA No. 86485/2018 - INTERVENTION APPLICATION

IA No. 80395/2018 - INTERVENTION APPLICATION

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IA No. 106352/2018 - INTERVENTION APPLICATION

IA No. 9/2017 - INTERVENTION APPLICATION

IA No. 84390/2017 - INTERVENTION APPLICATION

IA No. 86492/2018 - INTERVENTION APPLICATION

IA No. 8/2017 - INTERVENTION APPLICATION

IA No. 6125/2019 - INTERVENTION/IMPLEADMENT

IA No. 54570/2018 - INTERVENTION/IMPLEADMENT

IA No. 85388/2017 - INTERVENTION/IMPLEADMENT

IA No. 5/2017 - PERMISSION TO APPEAR AND ARGUE IN PERSON

IA No. 84381/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION

IA No. 130620/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION

IA No. 130615/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION

IA No. 130636/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION

IA No. 84391/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION

IA No. 130627/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION

IA No. 130624/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

#### C.A. No. 1472/2017 (XVII-A)

## S.L.P.(C)...CC No. 5129-5130/2017 (XIV) (IA No. 1/2017 - PERMISSION TO FILE PETITION (SLP/TP/WP/..))

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

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(IA No. 4072/2023 - STAY APPLICATION)
W.P.(C) No. 51/2019 (X)
(IA No. 8597/2019 - CLARIFICATION/DIRECTION)
Diary No(s). 4454/2019 (XVII-A)
(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. 3269/2019 (XVII-A)
(IA No. 130827/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 51514/2019 - APPROPRIATE ORDERS/DIRECTIONS)
C.A. No. 3935/2019 (XVII-A)
(IA No. 63737/2019 - CLARIFICATION/DIRECTION)
Diary No(s). 13860/2019 (XVII-A)
(IA No. 68265/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 68264/2019 - CONDONATION OF DELAY IN FILING APPEAL)
Diary No(s). 13969/2019 (XVII-A)
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IA No. 101795/2018 - INTERVENTION/IMPLEADMENT
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CONMT.PET.(C) No. 663/2020 in SLP(Crl) No. 5978-5979/2017 (II-C) (FOR ADMISSION)

Date: 11-12-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE DIPANKAR DATTA HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) Ms. Divya Roy, AOR

Ms. Ranjeeta Rohatgi, AOR

Mr. Rahul Shyam Bhandari, AOR

Ms. G Priyadarshini, Adv.

Mr. Satyam Pathak, Adv.

Mr. Prabhakar Pahepuri, Adv.

Ms. Prerna Mehta, AOR

Mr. Awanish Kumar, AOR

Ms. Diva Singh, Adv.

Mr. Devendra Singh, AOR

Mr. Vikas Mehta, AOR

Mr. Nishant Anshul, Adv.

Dr. Harish Uppal, Adv.

Mr. Tileshwar Prasad, Adv.

Dr. J. P. Dhanda, AOR

Mr. Gaurav, AOR

Mr. Himanshu Shekhar, AOR

Mr. Sajan Poovayya, Sr. Adv.

Mr. Vikram Hegde, Adv.

Ms. Hima Lawrence, AOR

Ms. Raksha Agarwal, Adv.

Mr. Abhinav Hansaraman, Adv.

Mr. Abhishek Kakkar, Adv.

Mr. Palash Maheshwari, Adv.

Ms. Aswathi M.k., AOR

Mrs. Rachana Joshi Issar, AOR

Mr. Ajay Kumar Talesara, AOR

Ms. Sapna Chauhan, Adv.

Ms. Himanshi Sisodiya, Adv.

Ms. Vanshaja Shukla, AOR

Ms. Sapna Chauhan, Adv.

- Mr. Rajeev Kumar Dubey, Adv.
- Mr. Kamlendra Mishra, AOR
- Mr. Debabrata Das, Adv.
- Ms. Aanchal Tikmani, AOR
- Mr. Pahlad Singh Sharma, AOR
- Mr. Rahul Narayan, AOR
- Mr. Saurabh Bachavat, Adv.
- Ms. Nidhi Mohan Parashar, AOR
- Mr. Shubhranshu Padhi, AOR
- Mr. Jay Nirupam, Adv.
- Mr. D.girish Kumar, Adv.
- Mr. Pranav Giri, Adv.
- Mr. Ekansh Sisodia, Adv.
- Mr. Deepak Goel, AOR
- Mr. Kumar Kartikay, Adv.
- Ms. Purvi Goyal, Adv.
- Ms. Neelu Sharma, Adv.
- Mr. Karthik Hooda, Adv.
- Mr. E Vinay Kumar, Adv.
- Mr. Himanshu Singh Dhillon, Adv.
- Mr. Pardeep Dahiya, Adv.
- Mr. Pawanshree Agrawal, AOR
- Mr. Pawanshree Agrawal, Amicus Curiae
- Mr. Varun K. Chopra, Adv.
- Mr. Gp. Capt. Karan Singh Bhati, AOR
- Mr. Shikhil Shiv Suri, Sr. Adv.
- Mrs. Madhu Suri, Adv.
- Ms. Jyoti Suri, Adv.
- Ms. Wamika Chadha, Adv.
- Ms. Ishita Ahuja, Adv.
- Mr. Vibhor Choudhary, Adv.
- Mr. Saurabh Jha, Adv.
- Mr. Deva Vrat Anand, Adv.
- Mr. T. R. B. Sivakumar, AOR
- Ms. Bhavana Duhoon , AOR
- Ms. Priyanjali Singh, AOR
- Mr. N. Venkataraman, A.S.G.
- Ms. Anubha Agrawal, AOR

Mr. Y. Raja Gopala Rao, AOR Mr. Dhuli Gopi Krishna, Adv.

## Petitioner-in-person

# For Respondent(s) Mr. Pawanshree Agrawal, AOR (Amicus Curiae)

Mr. Varun K. Chopra, Adv.

Mr. Rahul Kaushik, AOR

Ms. Aswathi M.K., AOR

Mr. Avinash Sharma, AOR

Mr. K.M. Natraj, A.S.G.

Mr. Mukesh Kumar Maroria, AOR

Mrs. Suhasini Sen, Adv.

Mr. T.A Khan, Adv.

Mrs. Chinmayee Chandra, Adv.

Mr. Siddhant Kohli, Adv.

Mr. Anuj Srinivas Udupa, Adv.

Mr. Annirudh Sharma Ii, Adv.

Mr. N. Venkataraman, A.S.G.

Ms. Anubha Agrawal, AOR

Mr. Lokesh Sinhal, Sr. A.A.G.

Mr. B.K. Satija, A.A.G.

Mr. Samar Vijay Singh, AOR

Mr. Nikunj Gupta, Adv.

Ms. Himanshi Sakhya, Adv.

Mr. Fateh Singh, Adv.

Ms. Sabarni Som, Adv.

Ms. Aakanksha, Adv.

Ms. Shalini Satyanarayan, Adv.

Mr. Amitabh Ranjan, Adv.

Mr. Kishore Kumar Pandey, Adv.

Mr. Abhishek Kumar Suman, Adv.

Mr. Ashok Mathur, AOR

Mr. Nikhil Nayyar, Sr. Adv.

Ms. Pritha Srikumar Iyer, AOR

Mr. Naveen Hegde, Adv.

Ms. Mansi Binjrajka, Adv.

Mr. E. C. Agrawala, AOR

Mr. Kartik Bhalla, Adv.

Mr. Ajit Pudussery, AOR

Mr. Ashutosh Bamezai, Adv.

Ms. Ranjeeta Rohatgi, AOR

Mr. Brijesh Kumar Tamber, AOR

- Mr. Rakesh Mittal, Adv.
- Ms. Yamini Mittal, Adv.
- Mr. D. Abhinav Rao, AOR
- Mr. Ajay Harshana, Adv.
- Mr. Ravi Prakash Mehrotra, Sr. Adv.
- Mr. Kaushik Choudhury, AOR
- Mr. Akarsh Garg, Adv.
- Mr. Shaantanu Jain, Adv.
- Mr. Archit Gupta, Adv.
- Mr. Yudhisthir Bhardwaj, Adv.
- Ms. Rupali Sharma, Adv.
- Mr. Saksham Garg, Adv.
- Mr. Subhan Shankar Gogoi, Adv.
- Mr. Jyotirmoy Chatterjee, Adv.
- Mr. Rohit Kumar Singh, AOR
- Dr. Manoj Gorkela, Adv.
- Mr. Bishwendra N Singh, Adv.
- Mr. Divyansh Bisht, Adv.
- Ms. Sunidhi Sah, Adv.
- Mr. Varun Kumar, Adv.
- Mr. Adutiya Veer, Adv.
- M/s. Gorkela Law Office, AOR
- Ms. Shriya Maini, AOR
- Ms. Rakhi Ray, AOR
- Mr. Deepak Goel, AOR
- Mr. Sureshan P., AOR
- Mr. Manish Kumar Srivastava, Adv.
- Mr. Yash Shrivastava, Adv.
- Mr. Birendra Kumar Mishra, AOR
- Ms. Poonam Atey, Adv.
- Mr. Sirajuddin, Adv.
- Mr. Rajesh Singh, AOR
- Mr. Syed Jafar Alam, AOR
- M/S. Av Global Chambers, AOR
- Mr. Siddharth Batra, AOR
- Mr. Arjun Singh Bhati, AOR
- Ms. Mumtaz Bhalla, AOR
- Ms. Prapti Allagh, Adv.
- Mr. Abhisth Kumar, AOR
- Mr. Vipin Kumar Jai, AOR
- Mr. Vikramjit Bannerjee, A.S.G.

- Mr. K M Natraj, A.S.G.
- Mr. Rupesh Kumar, Sr. Adv.
- Mr. Ayush Puri, Adv.
- Mr. Raj Bahadur Yadav, AOR
- Mr. Sughosh Subramanium, Adv.
- Mrs. Ruchi Kohli, Adv.
- Mr. Siddhant Kohli, Adv.
- Mrs. Alka Agarwal, Adv.
- Mrs. Nidhi Khanna, Adv.
- Mr. Digvijay Dam, Adv.
- Mr. Raman Yadav, Adv.
- Mrs. Praveena Gautam, Adv.
- Mr. Santosh Kumar, Adv.

#### Petitioner-in-person, AOR

- Mr. Syed Jafar Alam, AOR
- Ms. Mithu Jain, AOR
- Mr. Satinder Gulati, Adv.
- Mr. Raj Kishor Choudhary, AOR
- Mr. Mohit Gupta, Adv.
- Mr. Andaluri Srinivasa Sarma, Adv.
- Mr. Dhruv Kaushik, Adv.

#### Ms. Vrinda Bhandari, AOR

- Mr. Arun Batta, Adv.
- Mr. Ashok Nijhawan, Adv.
- Mr. Rohan Sharma, Adv.
- Mr. Shivendra Singh, AOR
- Ms. Prakriti Rastogi, Adv.
- Mr. Bikram Dwivedi, Adv.

## Mr. S. Rajappa, AOR

- Mr. Ishan Sanghi, Adv.
- Mr. Rajeev Singh, AOR
- Mr. Roopansh Purohit, AOR
- Mr. Kedar Nath Tripathy, AOR
- Mr. T. Mahipal, AOR
- Mr. Nitin Gupta, Adv.
- Mr. Somanatha Padhan, AOR
- Mr. Pranjal Vyas, Adv.
- Mr. Akash Kakade, Adv.
- Ms. Riya Sethi, Adv.
- Ms. Charu Ambwani, AOR
- Mr. Aditya Singh, AOR
- Ms. Shagun Matta, AOR
- Ms. Manisha Ambwani, AOR

- Mr. Rajesh Kumar Chaurasia, AOR
- Ms. Manju Jetley, AOR
- Mr. Nikilesh Ramachandran, AOR
- Mr. Gaurav Goel, AOR
- Mr. D. S. Chauhan, AOR
- Ms. Ruchi Singh, Adv.
- Mr. Santosh Kumar Baitha, Adv.
- Mr. Akshat Shrivastava, AOR
- Ms. Pallavi Langar, AOR
- Mr. Manoj C. Mishra, AOR
- Mr. Nitesh Ranjan, AOR
- Ms. Aswathi M.K., AOR
- Mr. Jagdish Kumar Chawla, Adv.
- Mr. Vinay Chadda, AOR
- Ms. Shisba Chawla, Adv.
- Mr. Gaurav Goel, AOR
- Mr. Nikunj Dayal, AOR
- Mr. Rahul Kumar, Adv.
- Mr. Navneet Sarin, Adv.
- Mr. Vishesh Kumar, Adv.
- Mr. Shubham Sethi, Adv.
- Mr. Jay Kishor Singh, AOR
- Mr. Arjun Harkauli, AOR
- Ms. Preeti Singh, AOR
- Mr. Sunklan Porwal, Adv.
- Ms. Shefali Menezes, Adv.
- Mr. Siddharth, AOR
- Ms. Rohini Prasad, AOR
- Mr. A. Venayagam Balan, AOR
- Mr. Anand Sukumar, Adv.
- Mr. S. Sukumaran, Adv.
- Mr. Bhupesh Kumar Pathak, Adv.
- Mrs. Ruche Anand, Adv.
- Ms. Meera Mathur, AOR
- Mr. E. C. Agrawala, AOR
- Mr. V. K. Monga, AOR
- Ms. Gouri Monga, Adv.
- Mr. Dhruv Tamta, AOR
- Mr. Arvind Kumar Tewari, AOR
- Mr. Abhay Anand Jena, AOR

Ms. Malvika Kapila, AOR

Mr. Abhay Singh, AOR

Mr. Amit Sharma, AOR

Mr. Utkarsh Jaiswal, AOR

Mr. Anmol, Adv.

Mr. R. C. Kaushik, AOR

Mr. Sukant Vikram, AOR

M/S. Gagrat And Co, AOR

Mr. Ujjwal A. Rana, Adv.

Mr. Himanshu Mehta, Adv.

Mr. S.. Udaya Kumar Sagar, AOR

Mr. Chandan Kumar, AOR

Mr. Saurabh Ajay Gupta, AOR

Mr. K.M. Natraj, A.S.G.

Mr. Mukesh Kumar Maroria, AOR

Mrs. Suhasini Sen, Adv.

Mr. T.A Khan, Adv.

Mrs. Chinmayee Chandra, Adv.

Mr. Siddhant Kohli, Adv.

Mr. Anuj Srinivas Udupa, Adv.

Mr. Annirudh Sharma Ii, Adv.

Mr. Ravi Prakash Mehrotra, Sr. Adv.

Mr. Kaushik Choudhury, AOR

Mr. Akarsh Garg, Adv.

Mr. Shaantanu Jain, Adv.

Mr. Archit Gupta, Adv.

Mr. Yudhisthir Bhardwaj, Adv.

Ms. Rupali Sharma, Adv.

Mr. Saksham Garg, Adv.

Mr. Subhan Shankar Gogoi, Adv.

Mr. Jyotirmoy Chatterjee, Adv.

Mr. M. P. Vinod, AOR

Mr. Kartik Yadav, Adv.

Mr. Parinay Vasandani, Adv.

Mr. Manhar Singh Saini, Adv.

Mr. Vardan Wanchoo, Adv.

Mr. Chandra Prakash, Adv.

M/s. D.S.K. Legal, AOR

Mr. Milind Kumar, AOR

Mr. Abhinay, AOR

Mr. Amit Shrivastava, AOR

Mr. Sudhir Mahajan, Adv.

- Mr. Pradeep Mahajan, Adv.
- Mr. Ajit Kumar Ekka, AOR
- Ms. Riddhi Sancheti, AOR
- Mr. Shantwanu Singh, AOR
- Mr. Atmaram N.S. Nadkarni, Sr. Adv.
- Mr. Salvador Santosh Rebello, AOR
- Ms. Kritika, Adv.
- Mr. Raghav Sharma, Adv.
- Mr. Jaskirat Pal Singh, Adv.
- Ms. Arzu Paul, Adv.
- Ms. Manisha Gupta, Adv.
- Ms. Himanshi Nagpal, Adv.
- Ms. Rishikesh Haridas, Adv.
- Ms. Deepti Arya, Adv.
- Ms. Pooja Gill, Adv.

## M/s. Kmnp Law Aor, AOR

- Mr. Aman Vachher, Adv.
- Mr. Yadunath Chaudhary, Adv.
- Mr. Dhiraj, Adv.
- Mr. Ashutosh Dubey, Adv.
- Mrs. Anshu Vachher, Adv.
- Ms. Abhiti Vachher, Adv.
- Mr. Akshat Vachher, Adv.
- Ms. Nandni Sharma, Adv.
- Mr. Amit Kumar, Adv.
- Mr. Jasvinder Choudhary, Adv.
- M/s. Vachher And Agrud, AOR
- Mr. Rameshwar Prasad Goyal, AOR
- Mr. Venkateswara Rao Anumolu, AOR
- Mr. Ravindra Bana, AOR
- Mr. Anilendra Pandey, AOR
- Ms. Priya Kashyap, Adv.
- Ms. Vandana Surana, Adv.
- Mr. Rajeev Kumar Ranjan, Adv.
- Mr. Sanjay Sharma, Adv.
- Mr. Nadeem Hussain, Adv.
- Mr. Aakarsh Kamra, AOR
- Mr. Tarun Gupta, AOR
- Mr. Soumya Dutta, AOR
- Mr. R K Pandey, Adv.
- Mr. Atul Sharma, AOR
- Ms. Sunieta Ojha, AOR

- Mr. Sudhansu Palo, AOR
- Mr. Gaurav Bahl, Adv.
- Mr. Rakesh Kumar Palo, Adv.
- Dr. Joginder Singh Berwal, Adv.
- Mr. Vivek Verma, Adv.
- Mr. Rajesh Kumar Palo, Adv.
- Mr. Vijay Mittal, Adv.
- Mr. A. Karthik, AOR
- Ms. Shruti Agarwal, AOR
- Mr. B. Krishna Prasad, AOR
- Mr. Kaustubh Shukla, AOR
- Mrs. Pragya Baghel, AOR
- Mr. Nilesh Kumar, Adv.
- Mr. Dhruv Surana, Adv.
- Mr. Rohit Amit Sthalekar, AOR
- Mr. Purnendu Bajpai, Adv.
- Mr. Shashank Singh, Adv.
- Ms. Raakhi Poornym Sahijpal, Adv.
- Ms. Uditha Chakravarthy, Adv.
- Mr. Ankur S. Kulkarni, AOR
- Mr. Tarun, Adv.
- Mr. Aman Gupta, AOR
- Mr. Sidhant Garg, Adv.
- Mr. Akarsh Pandey, Adv.
- Mr. Vikas Kumar, AOR
- Mr. Arun Kumar, Adv.
- Mr. Kedar R. Seludkar, Adv.
- Mr. Yadav Narender Singh, AOR
- Mr. Vikramjit Banerjee, A.S.G.
- Mr. Shradha Deshmukh, Adv.
- Mr. Chinmayee Chandra, Adv.
- Mr. Siddhant Kohli, Adv.
- Ms. Nidhi Khanna, Adv.
- Mr. Rajan Kr. C`hourasia, Adv.
- Mr. Ishaan Sharma, Adv.
- Mr. Amrish Kumar, AOR
- Mr. K. K. Mohan, AOR
- Mr. Abhay Kumar, AOR
- Mr. Shagun Ruhil, Adv.
- Mr. Saurabh Mishra, Adv.
- Mr. Karan Chopra, Adv.
- Ms. Kusum Pandey, Adv.

- Mr. Omprakash Ajitsingh Parihar, AOR
- Mr. Abhijit Sengupta, AOR
- Mr. Nishit Agrawal, AOR
- Mr. Mayank Goel, AOR
- Mrs. B. Sunita Rao, AOR
- Mr. Sumit Kumar, AOR
- Mr. A. Radhakrishnan, AOR
- M/S. S-legal Associates, AOR
- Mr. Rohit Sharma, Adv.
- Mr. Kumar Dushyant Singh, AOR
- Mr. Shakti Singh Dhakray, Adv.
- Mr. Rahul Ranjan, Adv.
- Mr. Braj Kishore Mishra, AOR
- Mr. Ajay Srivastava, Adv.
- Ms. Mini Kishore, Adv.
- Ms. Mini Kishrore, Adv.
- Mr. Tushar Singh, AOR
- Mr. Sajan Poovayya, Sr. Adv.
- Mr. Vikram Hegde, Adv.
- Ms. Hima Lawrence, AOR
- Ms. Raksha Agarwal, Adv.
- Mr. Abhinav Hansaraman, Adv.
- Mr. Abhishek Kakkar, Adv.
- Mr. Palash Maheshwari, Adv.
- Ms. Surekha Raman, Adv.
- Mr. Amarjit Singh Bedi, Adv.
- Mr. Shreyash Kumar, Adv.
- Mr. Yashwant Sanjenbam, Adv.
- Mr. Imilikaba Jamir, Adv.
- M/s. K J John And Co, AOR
- Mr. Atishi Dipankar, AOR
- Mr. Sudhir Kulshreshtha, AOR
- Mr. M.S. Yadav, Adv.
- Mr. Ashok Tobria, Adv.
- Mr. S.y. Usmani, Adv.
- Mr. Sahil Kaushik, Adv.
- Mr. Mayank Yadav, Adv.
- Mr. Sachin Soni, Adv.
- Mr. Vivek Narayan Sharma, AOR
- Mr. Devendra Singh, AOR
- Mr. Prem Prakash, AOR
- Mr. Umang Shankar, AOR
- Mr. Dhananjai Jain, AOR

- Ms. Kamakshi S. Mehlwal, AOR
- Mr. Deepak Goel, AOR
- Mr. Vikas Mehta, AOR
- Mr. Nishant Anshul, Adv.
- Dr. Harish Uppal, Adv.
- Mr. Tileshwar Prasad, Adv.
- Mr. Sanjay Jain, AOR
- Mr. Siddhartha Jha, AOR
- Mr. Anirudh Sharma, AOR
- Mr. Vikram Singh, AOR
- Mr. Vikrant Pachnanda, AOR
- Ms. Celeste Agarwal, AOR
- Mr. Mohan Babu Agarwal, Adv.
- Mr. Siddharth Joshi, Adv.
- Mr. Sanjay Kumar Tyagi, AOR
- Mr. Saurabh Upadhayay, Adv.
- Ms. Hardikka Kalia, Adv.
- Mr. Dileep Kumar Dubey, Adv.
- Ms. Tavishi Jain, Adv.
- Mr. Gaurav Mahajan, Adv.
- Ms. Sanya Narula, Adv.
- Mr. Pawan Silmana, Adv.
- Mr. Ahanthem Henry, Adv.
- Mr. Ahanthem Rohen Singh, Adv.
- Mr. Mohan Singh, Adv.
- Mr. Aniket Rajput, Adv.
- Ms. Khoisham Nirmala Devi, Adv.
- Mr. Rajiv Mehta, AOR
- Mr. Sunil Fernandes, AOR
- Mr. Ravi Panwar, AOR
- Mr. Ujjal Banerjee, AOR
- Mr. Bharat Bhushan, AOR
- Ms. Amrita Sarkar , AOR
- Mr. Sanjay Kumar Visen, AOR
- Mr. Jeetender Gupta, AOR
- Mr. Shree Prakash Sinha, Adv.
- Mr. Shekhar Kumar, AOR
- Mr. Rakesh Mishra, Adv.
- Mr. Nawalendra Kumar, Adv.
- Mr. Rishabh Kumar, Adv.
- Mr. Jinendra Jain, AOR
- Mr. Neeraj Malhotra, Sr. Adv.
- Mrs. Sonali Jaitley Bakhshi, Adv.

- Mr. Jaiyesh Bakhshi, Adv.
- Mr. Ravi Tyagi, AOR
- Mr. Mayank Mishra, Adv.
- Mr. Gaurav Mishra, Adv.
- Mr. Daman Popli, Adv.
- Mr. Anubhav Yadav, Adv.
- Mr. Sahil Dhawan, Adv.
- Mr. Sushant Dua, Adv.
- Mr. Nimish Kumar, Adv.
- Mr. Shantanu Sagar, AOR
- Mr. Vaibhav Jain, Adv.
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- Mr. Ashish K Singh, Adv.
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- Mr. Sonal Jain, AOR
- Mr. Rakesh Mishra, AOR
- Mr. Alok Kumar Pandey, Adv.
- Ms. Kiran Pandey, Adv.
- Mr. Pratyaksh Semwal, Adv.
- Ms. Madhumeet Kaur, Adv.
- Ms. Filza Moonis, AOR
- Mr. Sachin Jain, Adv.
- Mr. Ajay Agrawal, Adv.
- Mr. Vishal, Adv.
- Mrs. Subhadra Dwivedi, Adv.
- Mr. Rajiv Ranjan Dwivedi, AOR
- Mr. Roshan Santhalia, AOR
- Mr. Akshat Kumar, AOR
- Mr. D.k. Rustagi, Adv.
- Mr. Sriram P., AOR
- Mr. B Ragunath, Adv.
- Mr. Sumit R. Sharma, AOR
- Mr. Raj Kamal, AOR
- Mr. Debmalya Banerjee, Adv.
- Mr. Kartik Bhatnagar, Adv.
- Mr. Agastya Shelat, Adv.
- Ms. Apurva, Adv.
- Ms. Liza Vohra, Adv.
- M/s. Karanjawala & Co., AOR
- Mr. Aman Raj Gandhi, AOR

- Mr. Parthasarathy Bose, Adv.
- Ms. Panchi Agarwal, Adv.
- Ms. Astha Tyagi, AOR
- Ms. Tulika Mukherjee, AOR
- Mr. Siddhartha Sinha , AOR
- Mr. Raja Chatterjee, Adv.
- Mr. Piyush Sachdev, Adv.
- Mr. Abhaya Nath Das, Adv.
- Mr. Hukum Deo Prasad, Adv.
- Mr. B C Bhatt, Adv.
- Ms. Monica Goel, Adv.
- Mr. Jitendra Singh Tanwar, Adv.
- Mr. Soumya Kundu, Adv.
- Mrs. Archana Kumari, Adv.
- Mr. S S Bandyopadhyay, Adv.
- Mr. Satish Kumar, AOR
- Mr. Utsav Trivedi, Adv.
- Ms. Shivani Bhushan, Adv.
- M/s. Tas Law, AOR
- Ms. Manjula Gupta, AOR
- Mr. Prem Sunder Jha, Adv.
- Mr. Rahul Kaushik, AOR
- Mrs. B. Sunita Rao, AOR
- Mr. Abhinav Shrivastava, AOR
- Mr. Rakesh Mishra, AOR
- Mr. Alok Kumar Pandey, Adv.
- Ms. Kiran Pandey, Adv.
- Mr. Pratyaksh Semwal, Adv.
- Ms. Madhumeet Kaur, Adv.
- Mr. Vineet Bhagat, AOR
- Mr. Vivek Jain, AOR
- Ms. Jaikriti S. Jadeja, AOR
- Mr. Ashwani Garq, Adv.
- Mr. Vijay Kumar, AOR
- Mr. Somesh Chandra Jha, AOR
- Ms. Harsh Lata, AOR
- Mr. Sharadendu Dwivedi, Adv.
- Ms. Gargi Bhatta Bharali, Adv.
- Mr. Vivek Singh, AOR

- Mr. Braj Kishore Mishra, AOR
- Mr. Ajay Srivastava, Adv.
- Ms. Mini Kishore, Adv.
- Ms. Mini Kishrore, Adv.
- Mr. Preshit Vilas Surshe, AOR
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- Mr. Nitin Saluja, AOR
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- Mr. Amit Agrawal, AOR
- Ms. Mrinal Gopal Elker, AOR
- Ms. Awantika Manohar, AOR
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- Mr. Samir Malik, Adv.
- Ms. Nikita Choukse, Adv.
- Mr. Tushar Mathur, Adv.
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- Mr. Kausar Raza Faridi, AOR
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- Mr. Fuzail Ahmad Ayyubi, AOR
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- Ms. Akanksha Rai, Adv.
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- Mr. Gyan Prakash Srivastava, AOR
- Mr. Rajesh Goyal, AOR
- Mr. Divyesh Pratap Singh, AOR
- Mr. Narender Kumar Verma, AOR
- Mr. M. Yogesh Kanna, AOR
- Mr. Ashok Kumar Jain, Adv.
- Mr. Pankaj Jain, Adv.
- Mrs. Meenakshi Jain, Adv.
- Mr. Bijoy Kumar Jain, AOR
- Mrs. Gargi Khanna, AOR
- Mr. Ashwani Kumar Dubey, AOR
- Mr. Dipesh Sinha, AOR
- Mr. K.m. Natraj, A.S.G.
- Mr. Mukesh Kumar Maroria, AOR
- Mrs. Suhasini Sen, Adv.
- Mr. T.A Khan, Adv.
- Mrs. Chinmayee Chandra, Adv.
- Mr. Siddhant Kohli, Adv.
- Mr. Anuj Srinivas Udupa, Adv.
- Mr. Annirudh Sharma Ii, Adv.

- Mr. Gp. Capt. Karan Singh Bhati, AOR
- Mr. Pushpraj Singh, Adv.
- Mr. Rajesh Kumar Chaurasia, AOR
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- Mr. Nakul Mohta, Adv.
- Mr. Bharat Monga, Adv.
- Mr. Amulya Upadhyay, Adv.
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- Mr. Brijesh Kalappa, Adv.
- Mr. Shiv Kumar, Adv.
- Ms. Jayasheela Y J, Adv.
- Ms. Vaishnavi, Adv.
- Ms. Divya Nair, Adv.
- Ms. Pooja V S, Adv.
- Mr. Rajan Chawla, AOR
- Mr. Arup Banerjee, AOR
- Mr. Vishal Arun, AOR
- Mr. P. R. Rajhans, Adv.
- Mr. Amarnath Gupta, Adv.
- Mr. Sudheesh K. K., Adv.
- Mrs. Sanooja M., Adv.
- Mrs. Sampa Sengupta Ray, Adv.
- Dr. Surender Singh Hooda, AOR
- Mr. Abdul Azeem Kalebudde, AOR
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- Ms. Nandita Rao, Adv.
- Mr. Thomas Oommen, AOR
- Mr. Manoj Kumar Makhija, Adv.
- Mr. Jai Shankar, Adv.
- Ms. Bhanu Kapoor, Adv.
- Ms. Divya Swami, Adv.
- Mr. Nikhil Swami, AOR
- Mr. Avinash Sharma, AOR
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- Ms. Bharti Tyaqi, AOR
- Mr. Jitender Singh, Adv.
- Mr. Ram Kripal Singh, Adv.
- Ms. Meenu Singh, Adv.
- Mr. Siddharth Singh, Adv.

- Mr. Udayaditya Banerjee, AOR
- Mr. C. K. Sasi, AOR
- Ms. Meena K Poulose, Adv.

#### Mrs. Rachna Gupta, AOR

- Mr. Vikramjit Bannerjee, A.S.G.
- Mr. K M Natraj, A.S.G.
- Mr. Rupesh Kumar, Sr. Adv.
- Mr. Ayush Puri, Adv.
- Mr. Raj Bahadur Yadav, AOR
- Mr. Sughosh Subramanium, Adv.
- Mrs. Ruchi Kohli, Adv.
- Mr. Siddhant Kohli, Adv.
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- Mr. Karan Chopra, Adv.
- Ms. Kusum Pandey, Adv.
- Mr. Shreyas Jain, Adv.
- Mr. Pranab Prakash, AOR
- Applicant-in-person, AOR
- Mr. Krishna Kumar Singh, AOR
- Mr. M. P. Devanath, AOR
- Mr. Sajan Poovayya, Sr. Adv.
- Mr. Vikram Hegde, Adv.
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- Mr. Divyam Khera, Adv.
- Mr. Advait Joshi, Adv.
- Mr. Manish Kumar Gupta, AOR
- Mr. Kamal Mohan Gupta, AOR

- Mr. Kamal Mohan Gupta, Adv.
- Mr. Amber Shehbaz Ansari, Adv.
- Mr. Umang Tripathi, Adv.
- Mr. Gorakh Nath Yadav, Adv.
- Mr. Mehraj Hakim Ali, Adv.

#### Mrs. Aarthi Rajan, AOR

- Mr. Raja Chatterjee, Adv.
- Mr. Piyush Sachdev, Adv.
- Mr. Idrish, Adv.
- Ms. Anupama Gupta, Adv.
- Ms. Riya Dutta, Adv.
- Ms. Sana Parveen, Adv.
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- Mr. Md Gouse Muddin Khan, Adv.
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- Mr. Omanakuttan K K, Adv.
- Mr. Akhilesh Kumar Mishra, Adv.
- Ms. Rambha Singh, Adv.
- Mr. Vaishak Omanakuttan, Adv.

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Mr. Neeraj Shekhar, AOR

Mr. Rajesh Kumar Maurya, Adv.

Mrs. Kshama Sharma, Adv.

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Mr. Atul Kumar, AOR

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Mr. Rajnandini Singh, Adv.

M/S. Juris Corp., AOR

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Mr. Karuppaiah Meyyappan, Adv.

Mr. Raghunatha Sethupathy B, AOR

Mrs. Kanika Kalaiyarasan, Adv.

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Mr. Praveen Agrawal, AOR

Mr. Yash S. Vijay, AOR

Mr. Sanjay Parikh, Sr. Adv.

Mr. Pukhrambam Ramesh Kumar, AOR

Mr. Karun Sharma, Adv.

Ms. Kumud Lata Das, AOR

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Mr. Harsh Ajay Singh, Adv.

Ms. Pooja Rathore, Adv.

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- Ms. Asiya Khan , AOR
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- Mr. Akshat Shrivastava, AOR
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- M/s. Devasa & Co., AOR
- Mr. Manish Tiwari, Adv.
- Mr. Kumar Mihir, AOR
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- Mr. Ravinder, Adv.

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- Mr. Mohit Paul, AOR
- Ms. Rangoli Seth, Adv.
- Ms. Sanjleena Lal, Adv.
- Mr. Rohit, Adv.
- Mr. C. K. Sasi, AOR
- Ms. Meena K Poulose, Adv.
- Mr. Ravindra Kumar, Sr. Adv.
- Mr. Mahesh Jethmalani, Sr. Adv.
- Mr. Ravindra Kumar, Sr. Adv.
- Mr. Sameer Jain, Adv.
- Ms. M.S. Gunjan Mangla, Adv.
- Mr. Suvigya Awasthy, Adv.
- Mr. Deepesh Raj, Adv.
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- Mr. P. S. Sudheer, AOR
- Mr. Sandeep Bajaj, Adv.
- Ms. Aakanksha Nehra, Adv.
- Mr. Anirudha Mukherjee, Adv.
- Ms. Nidhi Mohan Parashar, AOR
- Mr. Shashibhushan P. Adgaonkar, AOR

- Ms. Madhurima Tatia, AOR
- Mr. Gp. Capt. Karan Singh Bhati, AOR
- Mr. Pushpraj Singh, Adv.
- Mr. Archit Upadhayay, AOR
- Ms. Shwetal Shepal, Adv.
- Mr. Siddharth Dharmadhikari, Adv.
- Mr. Aaditya Aniruddha Pande, AOR
- Mr. Divyesh Pratap Singh, AOR
- Ms. Priyanjali Singh, AOR
- Mr. Ashwani Kumar, AOR
- M/S. Udit Kishan And Associates, AOR
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- Ms. Charu Mathur, AOR
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- Mr. Himanshu Shekhar, AOR
- Mr. Parth Shekhar, Adv.
- Mr. Shubham Singh, Adv.
- Mr. Amitabh Ranjan, Adv.
- Mr. Binod Kumar Singh, Adv.
- Mr. Manoranjan Sati Prasad, Adv.
- Mr. Maheshwaram Yadava Reddy, Adv.
- Mr. Kishor Kumar Pandey, Adv.
- Mr. Mata Prasad Pathak, Adv.
- Mr. Mukesh Kumar Verma, Adv.
- Ms. Mridula Ray Bharadwaj, AOR
- Dr. Vinod Kumar Tewari, AOR
- Mr. Pramod Tiwari, Adv.
- Mr. Vivek Tiwari, Adv.
- Mr. Pradeep Kumar Dwivedi, Adv.
- Mr. Sandeep Kumar Dwivedi, Adv.
- Mr. Bhoopesh Pandey, Adv.
- Mr. D N Dubey, Adv.
- Ms. Priyanka Dubey, Adv.
- Mr. Awanish Kumar, AOR
- Mr. Aldanish Rein, AOR
- Mr. Kaustubh Anshuraj, AOR
- Mr. Krishna Kumar Singh, AOR
- Mr. Ashwarya Sinha, AOR
- Mr. Aditya Malhotra, Adv.
- Mr. Sankalp Mahindru, Adv.

- Mr. Dharmendra Kumar Sinha, AOR
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- Mrs. Nikita Raj, Adv.
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- Mr. Alok Kumar, Adv.
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- Mr. Kaushik Choudhury, AOR
- Mr. Akarsh Garg, Adv.
- Mr. Shaantanu Jain, Adv.
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- Mr. Saksham Garg, Adv.
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- Mr. Jyotirmoy Chatterjee, Adv.
- M/s. Dua Associates, AOR
- Mr. Munawwar Naseem, Adv.
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- Mr. Aneesh Mittal, AOR
- Ms. Jvoti Mendiratta, AOR
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- Ms. Kripa Shankar Prasad, AOR
- Mr. Amit Seth, Adv.
- Mr. Viresh B. Saharya, AOR
- Mr. Akshat Agarwal, Adv.
- Mr. Rishabh Mathur, Adv.

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

## I.A. No.261621/2024, I.A. No.257541/2024 & I.A. No.171096/2024

- 1. Issue notice, returnable on 16.01.2025.
- 2. Ms. Anubha Agrawal, the counsel assisting Shri N. Venkataraman, learned Additional Solicitor General of India accepts notice. A copy of the applications be supplied to the assisting

counsel of learned ASG.

3. Reply, if any, be filed within three weeks.

## I.A. No.229159/2024

- This application has been moved by the Government-appointed 4. Board of Unitech Limited seeking the permission of this Court for disinvestment of M/s. Unitech Power Transmission Limited ('UPTL'), which is a wholly owned subsidiary of Unitech Limited. It is inter submitted that proposal for disinvestment of UPTL was alia unanimously approved by the Government appointed Board of Unitech Limited and thereafter permission of this Court was obtained for the sale of UPTL on a previous occasion. The same, however, did not materialize as the proposed buyers failed to deposit the agreed sale consideration. Initially, an offer over Rs.100 crores was received from Sterling & Wilson Private Limited. However, they failed to deposit the requisite amount. This fact was, accordingly, brought to the notice of this Court, and vide order dated 23.03.2021, this Court after noting that sale of UPTL to Sterling & Wilson Private Limited did not fructify, permitted the management of Unitech to explore other potential buyers for sale of its shareholding in UPTL. Thereafter, fresh offers were received, including one by M/s. Auro Infra Private Limited, dated 24.05.2024, depicting the valuation of Rs.45 crores for UPTL. Negotiations were held and the aforementioned prospective buyer then agreed to pay a sum of Rs.50.89 crores.
- 5. In their efforts to fetch the maximum price for UPTL, a public notice was issued on 19.07.2024 informing the general public that one prospective investor/buyer has quoted a bid amount of Rs.50.89

crores for acquiring 100% equity shareholding of M/s. UPTL on "as-is-where-is-whatever-is-basis", and any investor who can submit a bid which is atleast Rs. 1 crore higher than the existing bid, and comply with certain other conditions, could instead be considered for the sale of UPTL. In this manner, before the transaction was finalized with M/s. Auro Infra Private Limited, the management had decided to take recourse to the Swiss Challenge Method, and provided an opportunity to all the investors/buyers, who may be interested to bid for the acquisition of UPTL.

- 6. Pursuant to the public notice, one offer of Rs. 55 crores was received by the management, but the prospective buyer did not comply with the conditions stipulated in the public notice, and did not deposit any performance-bank-guarantee. On the other hand, M/s. Auro Infra Private Limited vide their memo dated 17.09.2024 (a copy of which has been appended with the application) have confirmed their offer for necessary approval along with which they have also sent a post-dated cheque dated 16.12.2024 in the sum of Rs.50.89 crores, signaling their intent and *bona fides* to purchase UPTL.
- 7. We have heard learned Additional Solicitor General of India in support of the prayer made in this application and perused the relevant documents.
- 8. In light of the fact that the value of assets of UPTL is rapidly deteriorating, as is depicted in a tabulated form in paragraph 22 of the application, coupled with the fact that no alternative offer higher than M/s. Auro Infra Private Limited has been received by the management despite vide publicity having been given through public notices, we are satisfied that it will be in

the interest of Unitech and its subsidiary that the highest bid received as of now in the sum of Rs.50.89 crores is accepted.

9. Consequently, we allow this application and approve the proposal. Ordered accordingly.

# I.A. No.286435/2024

- 10. Issue notice, returnable on 16.01.2025.
- 11. Mr. Y. Raja Gopala Rao, AOR accepts notice on behalf of Andhra Pradesh Industrial Infrastructure Corporation ('APIIC').
- 12. The reply may be filed within two weeks with advance copy to learned counsel for the applicant.

### I.A. No.241604/2024

- 13. For the purpose of giving effect to this Court's order dated 22.10.2024 passed in I.A. No.241604/2024, and as prayed for by learned Advocate-on-Record appearing on behalf of Management of Unitech, (i) State of Uttar Pradesh, through Principal Secretary, Home Department; (ii) The Commissioner of Police, Gautam Buddh Nagar, Uttar Pradesh and (iii) The Collector, Gautam Buddh Nagar, Uttar Pradesh are directed to be impleaded as party respondents.
- 14. Issue notice to the newly added respondents, returnable on 18.12.2024.
- 15. Dasti service, in addition, is permitted.
- 16. The newly added respondents may also be served through the standing counsel for the State of Uttar Pradesh.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR