

ITEM NO.301

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
RECORD OF PROCEEDINGS

Civil Appeal No(s).10856/2016

BHUPINDER SINGH**Appellant(s)****VERSUS****UNITECH LTD.****Respondent(s)**

(WITH IA-112090/21, IA No. 57580/2021 - APPROPRIATE
ORDERS/DIRECTIONS, IA No. 50706/2021 - APPROPRIATE
ORDERS/DIRECTIONS, IA No. 50683/2021 - APPROPRIATE
ORDERS/DIRECTIONS, IA No. 81663/2021 - APPROPRIATE
ORDERS/DIRECTIONS, IA No. 79304/2020 - INTERVENTION APPLICATION,
IA No. 57581/2021 - INTERVENTION/IMPLEADMENT, IA No. 50704/2021 -
INTERVENTION/IMPLEADMENT, IA No. 81660/2021 -
INTERVENTION/IMPLEADMENT, IA No. 5463/2021 - PERMISSION TO PLACE
ADDITIONAL FACTS AND GROUNDS)

WITH**SLP(Cr1) No. 5978-5979/2017 (II-C)****Date : 06-10-2021 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. Deepak Goel, AOR

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

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

For Respondent(s)

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

Mr. K.M. Nataraj, ASG.
 Mr. B.V. Balaram Das, AOR
 Ms. Suhashini Sen, Adv.
 Mr. T.A. Khan, Adv.
 Mr. Anish Kumar Gupta, Adv.
 Mr. Chinmayee Chandra, Adv.
 Mr. Sihdant Kohli, Adv.
 Mr. Shekhar Vyas, adv.
 Ms. Praveena Gautam, Adv.
 Mr. Sughosh Subramanyam, Adv.
 Mr. Raj Bahadur Yadav, Adv.

Ms. Madhvi Divan, ASG
 Mr. Shekhar Vyas, Adv.
 Mr. Praveena Gautam, Adv.
 Ms. Ruchi Kohli, Adv.
 Mr. Ayush Puri, Adv.
 Mr. Siddhant Kohli, Adv.
 Ms. Chinmayee Chandra, Adv.
 Ms. Shraddha Deshmukh, Adv.
 Mr. Prashant Singh B, Adv.
 Mr. Raj Bahadur Yadav, Adv.
 Mr. Amrish Kumar, AOR
 Mr. M.K. Maroria, AOR

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.
Mr. Mishika Bajpai, Adv.
Mr. Chandra Prakash, Advocate
for M/S. DSK Legal

Mr. Rajan Chawla, AOR

Mr. Amit Agrawal, AOR
Ms. Radhika Yadav, Adv.
Mr. Naman Khatwani, Adv.

Ms. Asha Tyagi, AOR

Mr Vikram Nankani, Sr Adv.
Mr Shwetabh Sinha, Adv.
Mr. Ujjal Banerjee, AOR
Mr Ashish Rao, Adv.
Mr Akash Khurana, Adv.

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
Ms. Noopur Singhal, Adv.
Mr. Rahul Khurana, Adv.
Mr. Sanjay Kumar Visen, AOR
Mr. Amit Sahni, Adv.

Ms. V. Mohana, Sr. Adv.
Mr. Sriram Parakkat, AOR

Mr. Nikhil Nayyar, Sr. Adv.
Ms. Pritha Srikumar Iyer, AOR
Mr. Naveen Hegde, Adv.
Ms. Mansi Binjrajka, 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. Sharan Balakrishna, Advocate

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 Bhole, 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. Gagrath and Co

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

Mr. Rahul Garg, Adv.

Mr. Nishant Bahuguna, Adv.

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. 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. Abhishth 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.

Mr. 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. Utkarsh Singh, Advocate

Mr. Vishnu Sharma, Advocate

Mr. Syed Jafar Alam, AOR

Mr. Himanshu S Sinha, Adv.

Mr. Bhuwan Dhoopar, Adv.

Mr. Syed Jafar Alam, AOR

Ms. Varuna Bhanrale, Advocate
Mr. Sumit Nagpal, Advocate

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. Abhay Kumar, ADV.
Mr. Sriharsh Nahush Bundela, Adv.
Mr. Saurabh Mishra, Adv.
Mr. Kumar Milind, Adv.
Mr. Shagun Ruhil, Adv.
Mr. Vishal Nautiyal, 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. Tisheshwar Prasad, Adv.
Mr. Naresh Aditya Madhav, Adv.
Mr. Vikas Mehta AOR
Mr. Bhaskar Nayak, Adv.
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. Anurag Jain, 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. Ravi Solanki, 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. R.K. Pandey, Adv.

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, Advocate

Ms. Manju Bhagat, Advocate

Ms. Archana Midha, Advocate

Mr. Mohit Gulati, Advocate

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. S.Udaya Kumar Sagar, AOR

Ms. Sweena Nair, 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. Sandeep Bajaj, Advocate

Ms. Nidhi Mohan Parashar, AOR
Ms. Aakanksha Nehra, Advocate
Mr. Siddhartha Shukla, Advocate

Mr. Sharath Sampath, Advocate
Mr. Tarun Mehta, Advocate
Mr. Manikya Khanna, Advocate
Ms. Nidhi Mohan Parashar, AOR
Mr. Pratyaksh Sharma, Advocate
Mr. Aditya Krishna, Advocate

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. Vipin Kumar, Adv.
Mr. Vivek Bhojrajka, 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 Adlakha, Adv.
Mr. Omkar Prasad, Adv.
Mr. Sunil Rai, 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. 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. Vasudha Jain, 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. 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. Ahanthem Henry, Adv.
Mr. Rajiv Mehta, AOR

Mr. Anshay Dhatwalia, Adv.
Mr. Vishnu Mohan Nair, 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. 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

Dr. Lalit Bhasin, Adv.
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. 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

Gp. Capt. Karan Singh Bhati, AOR
Mr. Pushpraj Singh, Advocate

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.

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. Amit Upreti, Adv.

Mr. Alok Kumar Pandey, Adv.

Mr. Satyam Pandey, Adv.

Mr. Pradeep Kumar Dwivedi, Adv.

Mr. Sandeep Kumar Dwivedi, 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

Mr. Sanveer Mehlwal, Adv.

Mr. Dhiraj Kumar, Adv.

Ms. Geetanjali Mehlwal, Adv.

Ms. Kamakshi S. Mehlwal, AOR

Mr. Sanjay Jain, AOR

Mr. Udayaditya Banerjee, AOR

Mr. Sunder Khatri, Adv.

Mrs. Shital Khatri, 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.

Ms. Ilma Saifi, Adv.

Ms. Asmita Kumar, Adv.

Mr. M. M. Kashyap, 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. Pukhrambam 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, Advocate
Mr. Abhinay, Advocate on Record
Mr. Milinda Sharma, Advocate
Ms. Unnati Vijay, Advocate
Ms. Shivani Bhushan, Advocate
Ms. Aishwarya Samal, Advocate

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. P.N. Pareek, Adv.
Mr. Jagmohan Pareek, Adv.
Mr. Deepak Sharma, Adv.
Mr. Jagdamba Singh, Adv.
Ms. Payal Swarup, Adv.
Archana Sharma, Adv.
Mr. Praveen Swarup, AOR

Ms. Shikha Dixit, in-person

Ms. Binu Tamta, Adv.
Mr. Dhruv Tamta, AOR

Mr. Sanjeev Sen, Senior Advocate
Mr. Salim Inamdar, Adv
Ms. Astha Tyagi, AOR

Mr. Joy Saha, Sr. Adv
Mr. Sarad Kumar Singhania AOR
Ms. Rashmi Singhania, Adv

Mr. Anil Kumar, Adv.
Mr. Kamal Mohan Gupta, Adv.

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

Mr. Dhruv Tamta, AOR

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

Civil Appeal No 10856 of 2016 and SLP (Crl) Nos 5978-5979 of 2017

- 1 The Enquiry Report dated 28 September 2021 submitted by Shri Rakesh Asthana, Commissioner of Police, Delhi is placed on the record. In terms of the contents of paragraph 37 of the Report, we grant permission to conduct a full-fledged criminal investigation against the persons mentioned therein as also against any unknown persons, whose identity may be revealed during the course of investigation, by registering a criminal case. The Commissioner of Police has stated that a criminal case shall be registered in the Crime Branch of Delhi Police under Sections 7, 8 and 12 of the Prevention of Corruption Act 1988 read with Sections 201/120B of the Indian Penal Code 1860. The provisions of law shall be complied with.

- 2 We direct that, in the meantime, the officials of Tihar Jail who have been *prima facie* found to be complicit in the course of the Enquiry shall be placed under suspension pending further proceedings.
- 3 We further direct the Union Ministry of Home Affairs to respond to the suggestions which are contained in paragraph 38, including 38.1, 38.2, 38.3, of the Report of the Commissioner of Police and take necessary steps immediately in terms of the Report for enhanced prison management.
- 4 Necessary remedial steps shall be taken immediately and an action plan shall be drawn up which shall be placed before the Court for implementing the suggestions and recommendations. This shall be complied with within a period of four weeks. A plan of action shall be submitted to this Court, though the process of compliance shall not be delayed on that ground.
- 5 Apart from the line of action which has been suggested in the Report of the Commissioner of Police, necessary steps may also be taken if any violation of the provisions of the Jail Manual are detected.
- 6 The Commissioner of Police is requested to forward a copy of this Report in a sealed cover to the Union Ministry of Home Affairs to facilitate compliance with the directions which have been issued in this order.
- 7 Mr K M Nataraj and Ms Madhavi Divan, Additional Solicitors General, placed before the Court:
- (i) The interim investigation report dated 16 July 2021 of the Serious Fraud Investigation Office¹ of the Ministry of Corporate Affairs;
- (ii) The second status report of the Directorate of Enforcement dated 16
- 1“SFIO”

August 2021; and

- (iii) The third status report of the Directorate of Enforcement dated 29 September 2021.
- 8 The investigation is under way at present. We have perused the status reports. The investigation shall continue. The Court shall be apprised, on or before the next date of listing, with an up to date status report of the Enforcement Directorate and the SFIO. The interim status report which has been filed by the SFIO shall be shared with the Enforcement Directorate for further action in accordance with law.
- 9 Mr Vikas Singh, Senior Counsel appearing on behalf of the accused – Sanjay Chandra and Ajay Chandra, submits that a report of the forensic auditors M/s Grant Thornton may be made available to him so as to enable him to controvert the contents of the report.
- 10 At present, from the status reports which have been filed before this Court, it emerges that the report submitted by the forensic auditors is the subject matter of the investigation which is being conducted by the Enforcement Directorate. Since the matter is at the stage of investigation, it would not be either in accordance with law or precept to provide the underlying material which forms the subject matter of investigation to the accused at the present stage. Disclosure of the information at this stage will derail the investigation and there is a grave danger of dissipation of assets.
- 11 We direct that the proceedings be listed on 10 November 2021 at 3 pm before this Bench so that the Court can be apprised of the further status of the investigation.

- 12 On the request of Mr Pawanshree Agrawal, *amicus curiae*, the web portal for permitting the conversion of options of home-buyers from refund to possession shall continue to remain open for a further period of fifteen days. Period for deposit of title deeds shall likewise be extended for a further period of fifteen days.

IA 50683 of 2021 in Civil Appeal No 10856 of 2016, IA 81660 and 81663 of 2021 in Civil Appeal No 10856 of 2016, IA 57580 and 57581 of 2021 in Civil Appeal No 10856 of 2016, IA 50704 and 50706 of 2021 in Civil Appeal No 10856 of 2016 with IA Nos 79304 of 2020, IA No 5463 of 2021 and IA No 112090 of 2021

List the applications on 21 October 2021 at 3 pm before this Bench.

**(SANJAY KUMAR-I)
AR-CUM-PS**

**(SAROJ KUMARI GAUR)
COURT MASTER**