

ITEM NO.1 Court 3 (Video Conferencing)

SECTION II-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 4634/2014

(Arising out of impugned final judgment and order dated 30-04-2014 in CRLA No. 1132/2012 passed by the High Court of Judicature at Bombay)

VIJAY MADANLAL CHOUDHARY &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

([FOR DIRECTIONS] ONLY CONNECTED MATTER I.E. WP(CRL.) NO. 301/2021, SLP(C) No. 12468/2021 AND SLP(Cr1) No. 4835-4836/2021 ARE LISTED AGAINST THIS ITEM. ])

WITH

SLP(Cr1) No. 4835-4836/2021 (II-B)

IA No. 77267/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 77266/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 77268/2021 - EXEMPTION FROM FILING O.T.)

W.P.(Cr1.) No. 301/2021 (X)

FOR EX-PARTE STAY ON IA 83801/2021

FOR EXEMPTION FROM FILING O.T. ON IA 83803/2021

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 91203/2021

FOR EXEMPTION FROM FILING O.T. ON IA 91205/2021

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 111071/2021

FOR EXEMPTION FROM FILING O.T. ON IA 111073/2021

IA No. 83801/2021 - EX-PARTE STAY

IA No. 83803/2021 - EXEMPTION FROM FILING O.T.

IA No. 111073/2021 - EXEMPTION FROM FILING O.T.

IA No. 91205/2021 - EXEMPTION FROM FILING O.T.

IA No. 111071/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 91203/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 12468/2021 (III)

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA 97592/2021 FOR PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES

112261/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS

IA No. 97592/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED

**JUDGMENT**

**IA No. 97599/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES**

**IA No. 112261/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)**

**Date : 21-09-2021 This petition was called on for hearing today.**

**CORAM :**

**HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MR. JUSTICE C.T. RAVIKUMAR**

**For Petitioner(s)**

**Mr. Kapil Sibal, Sr. Adv.  
Mr. Puneet Jan, Adv.  
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Mr. Chetan Pandya, Adv.  
Mr. Harsh Jain, Adv.  
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Ms. Christi Jain, AOR**

**Mr. Sanjay Kapur, AOR  
Ms. Megha Karnwal, Adv.  
Mr. V.M. Kannan, Adv.  
Mr. Arjun Bhata, Adv.  
Ms. Shubhra Kapur, Adv.  
Mr. Lalit Rajput, Adv.**

**Mr. Shyam Divan, Sr. Adv.  
Mr. Massom K. Shah, Adv.  
Mr. Udit Gupta, Adv.  
Mr. Anup Jain, Adv.  
Mr. Sudipto Sircar, Adv.**

**For M/S. Udit Kishan And Associates, AOR**

**Mr. Nikhil Jain, AOR**

**For Respondent(s)**

**Mr. Tushar Mehta, SG  
Mr. S.V. Raju, ASG  
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Mr. Rajat Nair, Adv.  
Ms. Nisha Bagchi, Adv.  
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 Mr. Geo Joseph, Adv.

Mr. M. T. George, AOR  
 Mr. Mukesh Kumar Maroria, AOR  
 M/S. M. V. Kini & Associates, AOR  
 Mr. Balaji Srinivasan, AOR  
 Mr. O. P. Gaggar, AOR  
 Mr. Sachin Patil, AOR

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

SLP(Cr1) No. 4835-4836/2021

It is agreed that the issue involved in these matters is completely different than the one raised in the group of cases covered under the *Prevention of Money Laundering Act, 2002*. Hence, these matters should proceed independently.

De-linked.

List these matters on 20.10.2021.

SLP(C) No. 12468/2021

It is agreed that the issue involved in this matter is completely different than the one raised in the group of cases under the *Prevention of Money Laundering Act, 2002*. Hence, this matter should proceed independently.

De-linked.

List this matter on 21.10.2021.

In the meantime, no coercive action be taken against the Resolution Professional in connection with the stated offence considering the immunity accorded to the Resolution Professional under the Act itself.

Needless to mention that this protection will not absolve the Resolution Professional from cooperating with the investigation of the case, if and when required.

W.P.(Cr1.) No. 301/2021

This Writ Petition to be heard along with a group of cases challenging validity of provisions of Central Goods and Service Tax Act, 2017 (for short, 'the 2017 Act').

We will confine the consideration only in respect of challenge to the provision of Section 69 of the 2017, Act. For any other relief during the progress of the investigation, the petitioner(s) must approach the concerned Forum by way of appropriate proceedings, if so advised. That be done within one week from today.

We grant one week's time to the petitioner(s) to take recourse to appropriate remedy, if so advised.

The documents made over to us by the learned counsel for the respondent(s)-State be kept in a sealed cover in a safe custody of the Registrar (Judicial) until further orders.

List this matter along with SLP(Cr1.) No.4634/2014 and connected cases.

In the meantime, learned counsel for the respondents to file reply, if any.

(NEETU KHAJURIA)  
COURT MASTER

(VIDYA NEGI)  
COURT MASTER