

ITEM NO.1

COURT NO.4

SECTION X

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

Writ Petition(s)(Civil) No(s). 188/2004

M/S. RAIGANJ CONSUMER FORUM

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 33106/2019 - APPLICATION FOR PERMISSION
IA No. 62733/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 154673/2018 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 45905/2019 - CLARIFICATION/DIRECTION
IA No. 36952/2019 - CLARIFICATION/DIRECTION
IA No. 156169/2018 - CLARIFICATION/DIRECTION
IA No. 148036/2018 - CLARIFICATION/DIRECTION
IA No. 62731/2019 - INTERVENTION APPLICATION, IA
148036/2018, 154673/2018, 156169/2018, 33106/2019, 36952/2019, 45905/2019, 62731/2019, 62733/2019)

WITH

T.C.(C) No. 59/2003 (XVI-A)

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T.C.(C) No. 51/2005 (XVI-A)

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T.C.(C) No. 54/2005 (XVI-A)

T.C.(C) No. 55/2005 (XVI-A)

T.C.(C) No. 56/2005 (XVI-A)

T.C.(C) No. 57/2005 (XVI-A)

C.A. No. 3134-3137/2016 (IV)

Date : 25-09-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE VINEET SARAN
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Ms. Suruchii Aggarwal, AOR
Mr. Prashant Chauhan, Adv.

Mr. P.D. Sharma, AOR

Mr. Bhargava V. Desai, AOR

Mr. Ranjan Mukherjee, AOR
Mr. S. Bhowmick, Adv.

Mr. R. C. Kaushik, AOR

Ms. Minakshi Vij, AOR

Mr. Naresh Bakshi, AOR

Mr. Somnath Mukherjee, AOR

For Respondent(s) Mr. K. Radhakrishnan, Sr. Adv.
Mr. D.L. Chidananda, Adv.
Ms. Swarupama Chaturvedi, Adv.
Mrs. Anil Katiyar, AOR

Mr. Dhruv Mehta, Sr. Adv.
Ms. Ranjeeta Rohatgi, AOR

Mr. Chetan Sharma, Sr. Adv.
Mr. Rajiv Goel, Adv.

Mr. Rajesh Sharma, Adv.
Mr. Firoz Saifi, Adv.
Ms. Shalu Sharma, AOR

Mr. Jatinder Kumar Sethi, Adv.
Mr. Ashutosh Kumar Sharma, Adv.
Mr. Jatinder Kumar Bhatia, AOR

Mr. Naresh Bakshi, AOR

Mr. Shailendra Bhardwaj, AOR

Mr. Arun Kumar Beriwal, AOR

Mr. Rana Ranjit Singh, AOR

Mr. Tara Chandra Sharma, AOR

Mr. Chander Shekhar Ashri, AOR

Mr. G. Ramakrishna Prasad, AOR

Mr. Surya Kant, AOR

Dr. Surender Singh Hooda, AOR

Ms. Sunita Sharma, AOR

M/S. K J John And Co, AOR

Mr. M. C. Dhingra, AOR
Mr. Gaurav Dhingra, Adv.
K. Indira, Adv.

Mr. Shree Pal Singh, AOR

Mr. Abhijit Sengupta, AOR

Ms. Varsha Singh Chaudhry, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. R.K. Rajora, Adv.
Mr. Kusum Chaudhary, AOR

Mr. Ashok Kumar Singh, AOR
Mr. Shantwanu Singh, Adv.
Ms. Pragya Singh, Adv.
Mr. Naresh Kumar Gaur, Adv.

Mr. Vishwajit Singh, AOR

Mr. D. N. Goburdhan, AOR

Mr. K. S. Rana, AOR

Ms. Chitra Markandaya, AOR
Mr. R. Gopalakrishnan, AOR
Mr. Keshav Mohan, Adv.
Mr. Prashant Kumar, Adv.
Ms. Minakshi Vij, AOR
Mr. B. K. Pal, AOR
Mr. Sudhir Kumar Gupta, AOR
For M/s. AP & J Chambers
Mr. Yash Pal Dhingra, AOR
Mr. Arun K. Sinha, AOR
Mr. S. Ravi Shankar, AOR
Mr. Ranjan Mukherjee, AOR
Mr. A. P. Mohanty, AOR
Mr. Alok Gupta, AOR
Mr. Somnath Mukherjee, AOR
Mr. Ramesh Babu M. R., AOR
Mr. Rameshwar Prasad Goyal, AOR
Mr. Ugra Shankar Prasad, AOR
Mr. Bhargava V. Desai, AOR
Mrs. S. Usha Reddy, AOR
Mr. Ashwani Kumar, AOR
Ms. Suruchii Aggarwal, AOR
Mr. Subhasish Bhowmick, AOR
Ms. Tanuj Bagga, AOR

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

Heard learned counsel for the parties.

It is submitted by Mr. K. Radhakrishnan, learned senior counsel appearing on behalf of the Income Tax Department, that as Income Tax Department is holding the auction and certain clarifications are required.

Considering the submission, we pass the following directions:-

1. The demand draft will be prepared in the name of 'The Chairman, Committee - GFIL' and the account number is 55024544491.
2. The expenses incurred in auction to be defrayed by the Committee on the demand being raised by the Income Tax Department.
3. Let 30 days' notice be issued in the advertisement. Prayer to reduce the period is hereby declined. Advertisement be issued for auctioning the property in national newspapers having wide circulation in the country as well as in the local newspaper.
4. TDS need not be deducted at this stage.
5. The Income Tax Department, in any case to ensure that auction takes place at an early date.

State Governments of the Punjab and Uttarakhand to file their response to the interlocutory application. They can also rely upon the reply filed in the various petitions in the High Court which have been transferred to this Court.

We request the learned counsel appearing for the parties to cull out the issues which are involved in the matter and submit the proposed issues on the next date of hearing so that they can be addressed by this Court and taken care of as expeditiously as possible.

Issue notice in I.A. No.87335/2018.

Due to transcription error in the order dated 07.08.2019 passed in I.A. Nos.64630 and 64633 of 2018. Let after the words 'We feel that the property could' the word 'not' be added and the sentence be read as 'We feel that the property could not have been given to one of the investors'. Let the corrected order be uploaded after the above mentioned correction.

List on 23.10.2019.

(NARENDRA PRASAD)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER