

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFERRED CASE (C) NO. 89 OF 2003

PLANTATION INVESTORS PROTECTION SOCIETY

Petitioner(s)

VERSUS

GOLDEN FORESTS (I) LTD.

Respondent(s)

WITH

T.C.(C) No. 91/2003

T.C.(C) No. 99/2003

T.C.(C) No. 103/2003

T.C.(C) No. 105/2003

T.C.(C) No. 106/2003

T.C.(C) No. 111/2003

T.C.(C) No. 115/2003

T.C.(C) No. 116/2003

T.C.(C) No. 117/2003

T.C.(C) No. 120/2003

T.C.(C) No. 152/2003

T.C.(C) No. 154/2003

T.C.(C) No. 157/2003

T.C.(C) No. 159/2003

T.C.(C) No. 160/2003

T.C.(C) No. 161/2003

T.C.(C) No. 167/2003

T.C.(C) No. 172/2003

T.C.(C) No. 182/2003

T.C.(C) No. 190/2003

T.C.(C) No. 196/2003

T.C.(C) No. 200/2003

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T.C.(C) No. 205/2003

T.C.(C) No. 218/2003

T.C.(C) No. 230/2003

T.C.(C) No. 240/2003

T.C.(C) No. 250/2003

T.C.(C) No. 10/2004

O R D E R

It is reported in the Office Report dated 23.07.2019 that these cases, which have been received by this Court, have already been disposed of by the High Court and hence, they are treated to be disposed of and be deleted from the tagged matters.

.....J.  
[ ARUN MISHRA ]

.....J.  
[ M. R. SHAH ]

.....J.  
[ B. R. GAVAI ]

New Delhi;  
AUGUST 07, 2019.

CORRECTED

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  
R E C O R D O F P R O C E E D I N G S

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

M/S. RAIGANJ CONSUMER FORUM

Petitioner(s)

VERSUS

UNION OF INDIA . &amp; ORS.

Respondent(s)

(IA No. 154673/2018 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 156169/2018 - CLARIFICATION/DIRECTION  
IA No. 148036/2018 - CLARIFICATION/DIRECTION

WITH

T.C.(C No. 171/2003 (XVI-A)

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

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

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

SLP(C No. 227/2019 (IV-B  
(FOR ADMISSION

Date : 07-08-2019 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MR. JUSTICE M.R. SHAH  
HON'BLE MR. JUSTICE B.R. GAVAI

Counsel for the  
parties

Mr. K. Radhakrishnan, Sr. Adv.  
Ms. Swarupama Chaturvedi, Adv.  
Mr. D. L. Chidananda, Adv.  
Ms. Swati, Adv.  
Mr. Bhargava V. Desai, Adv.  
Mr. Akshat Malpani, Adv.  
Mrs. Anil Katiyar, Adv.

Mr. Chetan Sharma, Sr. Adv.  
Mr. Rajiv Goel, Adv.  
Mr. Rajesh Sharma, Adv.  
Mr. Anjan Datta, Adv.  
Mr. Firoz Saifi, Adv.  
Ms. Shalu Sharma, Adv.

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

Ms. Varsha Singh Choudhry, Adv.  
Mr. Hitesh Kumar Sharma, Adv.  
Mr. S. K. Rajora, Adv.  
Mr. Kusum Chaudhary, Adv.

Mr. M. L. Lahoty, Adv.

Mr. Paban K. Sharma, Adv.  
Mr. Anchit Sripat, Adv.

Ms. Suruchi Aggarwal, Adv.  
Mr. Prashant Chauhan, Adv.

Mr. M. C. Dhingra, Adv.  
Mr. Gaurav Dhingra, Adv.  
Ms. Indira Kandra, Adv.

Mr. Keshav Mohan, Adv.  
Mr. Rishi K. Awasthi, Adv.  
Mr. Prashant Kumar, Adv.  
Mr. Santosh Kumar, Adv.

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

Mr. P. D. Sharma, AOR  
Mr. Bhargava V. Desai, AOR  
Mr. Sarvesh Singh, AOR  
Ms. Suruchii Aggarwal, AOR  
Mr. Ranjan Mukherjee, AOR  
Mr. R. C. Kaushik, AOR  
Ms. Minakshi Vij, AOR  
Mr. Naresh Bakshi, AOR  
Mr. Somnath Mukherjee, AOR

Mr. Naresh Bakshi, AOR  
Mr. Shailendra Bhardwaj, AOR  
Mr. Arun Kumar Beriwal, AOR  
Mr. Rana Ranjit Singh, AOR  
Mr. Somnath Mukherjee, AOR  
Mr. Ramesh Babu M. R., AOR  
Mr. Jatinder Kumar Bhatia, 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  
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  
Ms. Shalu Sharma, AOR  
Mr. Shree Pal Singh, AOR  
Mr. Abhijit Sengupta, AOR  
Mr. Kusum Chaudhary, AOR  
Mr. Ashok Kumar Singh, AOR

Ms. Ranjeeta Rohatgi, AOR  
Mr. Vishwajit Singh, AOR  
Mr. D. N. Goburdhan, AOR  
Mr. K. S. Rana, AOR  
Ms. Chitra Markandaya, AOR  
Mr. R. Gopalakrishnan, AOR  
Ms. Minakshi Vij, AOR  
Mr. B. K. Pal, AOR  
Mr. Sudhir Kumar Gupta, AOR  
Mrs. Anil Katiyar, AOR  
M/S. Ap & J Chambers, AOR  
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  
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

I.A.No. 64630 and 64633 of 2018

Taken on board.

Heard the learned counsel for the intervenor(s). We feel that the property could not have been given to one of the investors. It has to be sold and the proceeds of the property have to be equally distributed amongst the investors. Thus, the prayer made in the intervention application(s) is rejected and also in I.As. filed by Mr. M. L. Lahoty, Adv. The property is ordered to be sold.

The applications are dismissed.

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We have perused the affidavit of Income Tax Department in compliance of order dated 07/05/2019. With respect to the property at Sr. No. 16 in Annexure A (Undercliff Estate in Musoorie), it is stated by the learned counsel appearing on behalf of the State of Uttarakhand that the Income Tax Department has valued the property

at Rs. 23.06 crores, but it may fetch much more value than that. We request the valuation team to look into this aspect. Let them auction the property and make an advertisement in the national and local newspapers with respect to sale of all the properties.

Mr. K. Radhakrishnan, learned senior counsel appearing on behalf of the Income Tax Department, has assured us that they are going to sell 23 properties within 2<sup>1/2</sup> months by taking steps in accordance with law. The statement is placed on record.

Let the progress report be submitted to this court and the account be remitted, as already directed vide order dated 07.05.2019.

List after three months.

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It is reported in the Office Report dated 23.07.2019 that the following cases, which have been received by this Court, have already been disposed of by the High Court and hence, they are treated to be disposed of and be deleted from the tagged matters :-

1. T.C.(C) No. 89/2003
2. T.C.(C) No. 91/2003
3. T.C.(C) No. 99/2003
4. T.C.(C) No. 103/2003
5. T.C.(C) No. 105/2003
6. T.C.(C) No. 106/2003
7. T.C.(C) No. 111/2003
8. T.C.(C) No. 115/2003
9. T.C.(C) No. 116/2003
  
10. T.C.(C) No. 117/2003
  
11. T.C.(C) No. 120/2003
  
12. T.C.(C) No. 152/2003
  
13. T.C.(C) No. 154/2003
  
14. T.C.(C) No. 157/2003

15. T.C.(C) No. 159/2003
16. T.C.(C) No. 160/2003
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18. T.C.(C) No. 167/2003
19. T.C.(C) No. 172/2003
20. T.C.(C) No. 182/2003
21. T.C.(C) No. 190/2003
22. T.C.(C) No. 196/2003
23. T.C.(C) No. 200/2003
24. T.C.(C) No. 201/2003
25. T.C.(C) No. 203/2003
26. T.C.(C) No. 204/2003
27. T.C.(C) No. 205/2003
28. T.C.(C) No. 218/2003
29. T.C.(C) No. 230/2003
30. T.C.(C) No. 240/2003
31. T.C.(C) No. 250/2003
32. T.C.(C) No. 10/2004

Pending interlocutory application(s), if any, is/are disposed of.

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I.A.No. 36379 of 2018 in T.C.(C) 2 of 2004

It is stated by the learned counsel that the notice in this application has already been issued and has been served on the concerned parties.

**ANNEXURE - A2**

The prayer made in Annexure A-2 for transfer of following cases from Delhi High Court to this Court is rejected :-

1. Bail Application No. 176/2015 (Pamila Syal)
2. Bail Application No. 809/2015 (N.K. Syal)
3. Bail Application No. 2684/2015 (Rakesh Kumar Arora)
4. Bail Application No. 636/2016 (Naresh Kumar)

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**ANNEXURE - A3**

The following cases mentioned at Sr. No.5 are transferred from Punjab and Haryana High Court to this Court and are tagged with C.A.Nos.3134-37 of 2016 :-

1. C.A.No. 129/2017
2. C.A.No. 138/2017
3. C.A.No. 258/2016
4. C.A.No. 259/2016
5. C.A.No. 260/2016,
6. C.A.Nos. 803-804/2015
7. C.A.No. 51/2016
8. C.A.No. 587/2015 in CP-115/2002

Other matters mentioned in ANNEXURE A3 are not to be transferred to this Court. The prayer for transfer is rejected.

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ANNEXURE A4 - The matters mentioned in this annexure are not to be transferred to this Court. The prayer for transfer is rejected.

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ANNEXURE A5 - The matters mentioned in this annexure are not to be transferred to this Court. The prayer for transfer is rejected.

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ANNEXURE A7 - The matters mentioned in this annexure are not to be transferred to this Court. The prayer for transfer is rejected.

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I.A.No. 36952 of 2019

As prayed for by Mrs. Suruchi Aggarwal, learned counsel, in view of the order dated 07.05.2019, this application is disposed of.

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I.A.No. 45905 of 2019

It is stated by Mr. Ranjan Mukherjee, learned counsel for the intervenor(s) that the Bank details with respect to 970 investors have been uploaded by the investors. Let the Committee take appropriate steps, in case it has not been done so far, and do the needful within 15 days from today.

Let the verification process, in case it has not been done so far, be completed with respect to 155 claimants within the same period.

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List for consideration on 25.09.2019 as to what has to be done on the surplus land cases.

(JAYANT KUMAR ARORA)  
COURT MASTER

(JAGDISH CHANDER)  
BRANCH OFFICER

**(Signed order is placed on the file)**