

ITEM NO.301

COURT NO.2
(HEARING THROUGH VIDEO CONFERENCING)

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.940/2017

BIKRAM CHATTERJI & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(1. Issues relating to Mr. Prem Mishra; and, 2. I.A. Nos.108696 & 108703 of 2020 (Vol. No.I-147); and, I.A. Nos.108670 & 108681 of 2020 (Vol. No.I-148) - Applications filed by NOIDA/Greater NOIDA for Recalling of Court's Orders)

WITH

SLP(C) No.1879/2018 (XVII)

W.P.(C) No.306/2018 (X)

W.P.(C) No.378/2018 (X)

SMC (Cr1) No.4/2018 (XVII)

W.P.(C) No.502/2019 (X)

T.P.(Cr1.) No.280/2021 (XVI-A)

(FOR ADMISSION and I.R.; IA No.84179/2021 - FOR EX-PARTE STAY; and, IA No.84176/2021 - FOR EXEMPTION FROM FILING PROOF OF SURRENDER)

W.P.(C) No.1041/2017 (X)

W.P.(C) No.1018/2017 (X)

W.P.(C) No.1116/2017 (X)

W.P.(C) No.1144/2017 (X)

W.P.(C) No.1156/2017 (X)

W.P.(C) No.1206/2017 (X)

W.P.(C) No.134/2018 (X)

W.P.(C) No.131/2018 (X)

W.P.(C) No.164/2018 (X)

W.P.(C) No.199/2018 (X)

W.P.(C) No.226/2018 (X)

W.P.(C) No.245/2018 (X)

W.P.(C) No.281/2018 (X)

W.P.(C) No.246/2018 (X)

W.P.(C) No.298/2018 (X)

W.P.(C) No.267/2018 (X)

W.P.(C) No.288/2018 (X)

W.P.(C) No.460/2018 (X)

W.P.(C) No.353/2018 (X)

W.P.(C) No.742/2018 (X)

W.P.(C) No.829/2018 (X)

W.P.(C) No.1397/2018 (X)

Diary No.36392/2019 (X)

CONMT. PET.(C) No.483/2020 in W.P.(C) No.940/2017 (X)

W.P.(C) No.947/2017 (X)

W.P.(C) No.942/2017 (PIL-W)

W.P.(C) No.971/2017 (X)

W.P.(C) No.8/2018 (X)

W.P.(C) No.1242/2017 (X)

W.P.(C) No.58/2018 (X)

W.P.(C) No.21/2018 (X)

W.P.(C) No.52/2018 (X)

W.P.(C) No.56/2018 (X)

W.P.(C) No.91/2018 (X)

W.P.(C) No.57/2018 (X)

W.P.(C) No.74/2018 (X)

W.P.(C) No.160/2018 (X)

W.P.(C) No.182/2018 (X)

Date : 01-10-2021 These matters were called on for hearing today.

CORAM :

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HON'BLE MR. JUSTICE AJAY RASTOGI

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

PART - I

Re: I.A. Nos.125041 of 2021 (Vol. No.I-180) – Application for Direction on behalf of NBCC

List this application on 08.10.2021 at 2.00 p.m. as First Item.

PART - II

Re: I.A. Nos.108696 & 108703 of 2020 (Vol. No.I-147); I.A. Nos.108670 & 108681 of 2020 (Vol. No.I-148) - Applications by NOIDA/Greater NOIDA for Recalling of Court's Orders; Reply on behalf of ACE Group of Companies to the Applications (Vol. No.R-120); Affidavit in reply on behalf of Prateek Buildtech Pvt. Ltd. (Vol. No.R-128); Affidavit in reply on behalf of Prateek Realtors India Pvt. Ltd. (Vol. No.R-129); Rejoinder Affidavit on behalf of Greater NOIDA to the reply filed by ACE Group in IA No.108696/2020 (Vol. No.R-134); Rejoinder Affidavit on behalf of NOIDA to the reply filed by ACE Group in IA No.108670/2020 (Vol. No.R-135); and Rejoinder Affidavit on behalf of NOIDA to the reply filed by Prateek Group in IA No.108670/2020 (Vol. No.R-136)

Mr. Ravindra Kumar, learned Advocate appearing for NOIDA/Greater NOIDA has concluded his submissions.

In response, Mr. Ranjit Kumar, learned Senior Advocate appearing for Prateek Group of Companies has begun his submissions. For rest of the submissions, list this matter on 08.10.2021 at 2.00 p.m. as Second Item.

PART-III

**Re.: MATTERS CONCERNING MR. PREM MISHRA,
RELATED PERSONS AND OTHER ENTITIES**

[IA No.8259/2019 – For Intervention/Direction (Vol. No.Z-88); IA No.74385/2020 - For Direction (Vol. No.I-131), IA Nos.90985 and 90986 of 2020 – For Direction and for Exemption from Filing Attested Affidavit (Vol. No.I-141); Affidavit in Compliance of Order dated 07.12.2020 (Vol. No.R-138); Provisional Attachment Order No.01/2021 dated 22.02.2021 passed by the Enforcement Directorate (Vol. No.R-173), and, Objection to the observations made against the applicant by Forensic Auditor in Reports dated 23.07.2021 and 10.10.2019 (Vol. No.R-86)]

In terms of Order dated 20.09.2021, these matters were directed to be taken up on 05.10.2021.

Mr. Vikas Singh, learned Senior Advocate, appearing for Mr. Prem Mishra and related persons, however submits that in order to give a comprehensive response, he may be favoured with Tally Sheets and Tally Ledgers by the learned Forensic Auditor appointed by this Court.

Mr. Pavan Aggarwal, learned Forensic Auditor has no objection to share the details as prayed for by Mr. Vikas Singh, learned Senior Advocate.

Let the requisite documents be shared as early as possible and preferably within three days from today.

List these matters for consideration after disposal of the applications preferred by NOIDA/Greater NOIDA .

PART - IV

Re: Compliance Affidavit on behalf of Royal Golf Link City Project Pvt. Ltd. (Vol. No.R-164)

As prayed for by Mr. Saurabh Mishra, learned Advocate, list this matter for consideration on 18.10.2021.

PART - V

Re: I.A. No.122762 of 2021 (Vol. No.I-178) – Application for withdrawal of I.A. Nos.113067 and 113068 of 2021 (Vol. No.Z-367) – Applications for Intervention and Direction

Mr. Awanish Sinha, learned Advocate-on-Record appearing for UNIWORD Telecom Ltd. prays for and is granted liberty to withdraw the applications for intervention and direction.

I.A. No.122762 of 2021 is accordingly allowed and I.A. Nos.113067 and 113068 of 2021 are dismissed as withdrawn.

PART – VI

List the matters as indicated in aforementioned Parts I, II, and III on 08.10.2021 at 2.00 p.m.

PART - VII

All the remaining Interlocutory Applications on Board are adjourned to
18.10.2021 at 2.00 p.m.

(MUKESH NASA)
COURT MASTER

(VIRENDER SINGH)
BRANCH OFFICER