

IA No. 115340/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 201/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 89379/2020 - CLARIFICATION/DIRECTION
IA No. 96598/2020 - CLARIFICATION/DIRECTION
IA No. 114877/2020 - CLARIFICATION/DIRECTION
IA No. 114496/2019 - CLARIFICATION/DIRECTION
IA No. 95831/2020 - CLARIFICATION/DIRECTION
IA No. 114869/2020 - CLARIFICATION/DIRECTION
IA No. 122225/2020 - CLARIFICATION/DIRECTION
IA No. 95273/2018 - CLARIFICATION/DIRECTION
IA No. 109576/2020 - CLARIFICATION/DIRECTION
IA No. 115383/2020 - CLARIFICATION/DIRECTION
IA No. 180011/2019 - CLARIFICATION/DIRECTION
IA No. 189314/2019 - COMPLIANCE OF COURTS ORDER
IA No. 120019/2020 - CONDONATION OF DELAY IN FILING
IA No. 120016/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 199/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 117730/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 74386/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 117725/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 94049/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 113870/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 90986/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 202/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 123500/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 89380/2020 - EXEMPTION FROM FILING O.T.
IA No. 24222/2021 - EXEMPTION FROM FILING O.T.
IA No. 128992/2020 - EXTENSION OF TIME
IA No. 115337/2020 - INTERVENTION APPLICATION
IA No. 109438/2020 - INTERVENTION APPLICATION
IA No. 109903/2020 - INTERVENTION APPLICATION
IA No. 123105/2020 - INTERVENTION APPLICATION
IA No. 114490/2019 - INTERVENTION APPLICATION
IA No. 95828/2020 - INTERVENTION APPLICATION
IA No. 109397/2020 - INTERVENTION APPLICATION
IA No. 109882/2020 - INTERVENTION APPLICATION
IA No. 111393/2020 - INTERVENTION APPLICATION
IA No. 128378/2020 - INTERVENTION APPLICATION
IA No. 12982/2021 - INTERVENTION APPLICATION
IA No. 8259/2019 - INTERVENTION APPLICATION
IA No. 100361/2020 - INTERVENTION APPLICATION
IA No. 111314/2020 - INTERVENTION APPLICATION
IA No. 24220/2021 - INTERVENTION APPLICATION
IA No. 113859/2020 - INTERVENTION APPLICATION
IA No. 9115/2021 - INTERVENTION APPLICATION
IA No. 3573/2020 - INTERVENTION/IMPLEADMENT
IA No. 6397/2021 - INTERVENTION/IMPLEADMENT
IA No. 20625/2021 - INTERVENTION/IMPLEADMENT
IA No. 130209/2020 - INTERVENTION/IMPLEADMENT
IA No. 28063/2021 - INTERVENTION/IMPLEADMENT

IA No. 114865/2020 - INTERVENTION/IMPLEADMENT
 IA No. 4681/2021 - INTERVENTION/IMPLEADMENT
 IA No. 109596/2020 - INTERVENTION/IMPLEADMENT
 IA No. 117320/2020 - INTERVENTION/IMPLEADMENT
 IA No. 122221/2020 - INTERVENTION/IMPLEADMENT
 IA No. 4656/2021 - INTERVENTION/IMPLEADMENT
 IA No. 128350/2020 - INTERVENTION/IMPLEADMENT
 IA No. 99884/2020 - INTERVENTION/IMPLEADMENT
 IA No. 109573/2020 - INTERVENTION/IMPLEADMENT
 IA No. 21310/2021 - INTERVENTION/IMPLEADMENT
 IA No. 182673/2019 - MODIFICATION
 IA No. 27679/2021 - MODIFICATION
 IA No. 182079/2019 - MODIFICATION
 IA No. 182077/2019 - MODIFICATION
 IA No. 99854/2020 - MODIFICATION OF COURT ORDER
 IA No. 77651/2020 - MODIFICATION OF COURT ORDER
 IA No. 122226/2020 - MODIFICATION OF COURT ORDER
 IA No. 17455/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 60700/2020 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 127793/2019 - RECALLING THE COURTS ORDER
 IA No. 123299/2020 - RECALLING THE COURTS ORDER
 IA No. 6521/2021 - RECALLING THE COURTS ORDER
 IA No. 127787/2019 - RECALLING THE COURTS ORDER
 IA No. 4900/2021 - RESTORATION)

WITH

W.P.(C) No. 947/2017 (X)
 (IA No. 100453/2017 - APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 971/2017 (X)
 (IA No. 115285/2020 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 102714/2017 - CLARIFICATION/DIRECTION)

W.P.(C) No. 942/2017 (PIL-W)
 (IA No. 100082/2017 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 82917/2018 - CLARIFICATION/DIRECTION
 IA No. 55476/2018 - CLARIFICATION/DIRECTION
 IA No. 148953/2018 - CLARIFICATION/DIRECTION
 IA No. 35933/2018 - CLARIFICATION/DIRECTION
 IA No. 125675/2018 - CLARIFICATION/DIRECTION
 IA No. 14915/2018 - CLARIFICATION/DIRECTION
 IA No. 7366/2018 - CLARIFICATION/DIRECTION
 IA No. 112014/2018 - CLARIFICATION/DIRECTION
 IA No. 86430/2018 - CONDONATION OF DELAY IN FILING
 IA No. 92775/2018 - I.A. FOR TAKING ON RECORD PROPOSAL FOR PAYMENT
 IA No. 41987/2018 - I/A ON BEHALF OF RESP. NO 13 SEEKING PERMISSION
 TO PURSUE COMPANY APPLI. NO. 17(P.B) OF 2018 AND
 IA No. 110167/2020 - INTERVENTION APPLICATION

IA No. 122810/2018 - MODIFICATION)

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

W.P.(C) No. 1041/2017 (X)
(IA No. 109946/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 111425/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 109920/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 111420/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 109910/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 111410/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 109891/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 109954/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 22043/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 109943/2020 - INTERVENTION APPLICATION
IA No. 111424/2020 - INTERVENTION APPLICATION
IA No. 109918/2020 - INTERVENTION APPLICATION
IA No. 111419/2020 - INTERVENTION APPLICATION
IA No. 109904/2020 - INTERVENTION APPLICATION
IA No. 111409/2020 - INTERVENTION APPLICATION
IA No. 109953/2020 - INTERVENTION APPLICATION)

W.P.(C) No. 1018/2017 (X)
(IA No. 119264/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 119263/2020 - INTERVENTION APPLICATION
IA No. 110188/2020 - INTERVENTION APPLICATION)

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

W.P.(C) No. 1144/2017 (X)
(IA No. 124701/2017 - APPROPRIATE ORDERS/DIRECTIONS)

W.P.(C) No. 1156/2017 (X)
(and)
W.P.(C) No. 1206/2017 (X)
(IA No. 135678/2017 - APPROPRIATE ORDERS/DIRECTIONS)

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. 91/2018 (X)

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

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

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

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

W.P.(C) No. 131/2018 (X)
(IA No. 25109/2018 - APPLICATION FOR STAY/DIRECTIONS)

W.P.(C) No. 160/2018 (X)
(IA No. 87533/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 87532/2020 - MODIFICATION OF COURT ORDER)

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

W.P.(C) No. 182/2018 (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)
(IA No. 48296/2018 - STAY APPLICATION)

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

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

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

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

W.P.(C) No. 288/2018 (X)
(IA No. 84512/2020 - APPROPRIATE ORDERS/DIRECTIONS)

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

W.P.(C) No. 353/2018 (X)
(IA No. 57585/2018 - STAY APPLICATION)

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

W.P.(C) No. 742/2018 (X)
(IA No. 70367/2019 - CLARIFICATION/DIRECTION)

W.P.(C) No. 829/2018 (X)
(IA No. 95096/2018 - GRANT OF INTERIM RELIEF)

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

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

W.P.(C) No. 502/2019 (X)
(IA No. 63194/2019 - STAY APPLICATION)

Diary No(s). 36392/2019 (X)

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

Date : 05-03-2021 These matters were called on for hearing today.

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

PART I

Re.: NOTE SUBMITTED BY MR. R. VENKATARAMANI, COURT RECEIVER

A) Re.: RELEASE OF PAYMENT OF Rs.5 CRORES TO NBCC

By order dated 04.03.2021, the Registry was directed to inform the Court regarding the request made by NBCC for release of Rs.5 crores.

According to the office report, the concerned amount was transferred into the bank account of NBCC on 26.02.2021.

B) FUNDING/FINANCING FROM HOUSING AND URBAN DEVELOPMENT CORPORATION (HUDCO)

Mr. Ravindra Kumar, learned Advocate representing NOIDA/Greater NOIDA and Mr. Kumar Dushyant Singh, learned Advocate representing HUDCO shall file responses/affidavits within one week.

Learned Receiver may file reply to the said responses within a week thereafter.

List this matter for consideration on 22.03.2021.

PART-II

Re.:NOTE SUBMITTED BY MR. M.L. LAHOTY, ADV.

I. Re.: IA Nos.109596 & 109599 of 2020 (Vol. Nos.Z-301 & R-116); I.A. No.109573 of 2020 (Vol.No.Z-302); I.A. No.111339 of 2020 (Vol.No.Z-313); I.A. No.111515 of 2020 (Vol.No.Z-312); and, Document Vol. No.R-141)

We have heard Mr. Rakesh K. Khanna and Mr.P.N. Misra, learned

Senior Advocates for the applicants. Mr. M.L. Lahoty, learned advocate for Home Buyers, Mr. Manoj Singh, learned Advocate for Amrapali Group and Mr. Suren Uppal, learned advocate for Shahi Infrastructure Pvt. Ltd. ('the Company', for short).

Mr. Suren Uppal, learned advocate submits that the agreement entered into with the original lessee had stated that a sanctioned lay-out plan was received by the lessee; that pursuant to the development agreement, in its capacity as developer-the Company had incurred certain expenditures; and that the amounts so spent towards construction/ development must be accounted for.

It is submitted that unless the process of such accounting is done, it would not be possible to submit that any amounts were taken out by the Company beyond authorization. The learned counsel submits that his client is ready to place all the material before the Forensic Auditors appointed by this Court and that his client would abide by the report of the Forensic Auditors.

In the circumstances, we deem it appropriate to direct:-

- (a) Let all the material including copies of the relevant bank accounts and all other documents on which the client of Mr. Suren Uppal wishes to place reliance on, be submitted to the Forensic Auditors before 09.03.2021.
- (b) We request the Forensic Auditors to look into these issues and submit a report as early as possible and preferably by 31.03.2021. The Forensic Auditors may

consider whether any expenditure as was incurred by the Company in development/construction of the Project pursuant to the development agreement.

- (c) In order to facilitate the exercise, copies of relevant volumes [IA Nos.109596 & 109599 of 2020 (Vol. Nos.Z-301 & R-116); I.A. No.109573 of 2020 (Vol.No.Z-302); I.A. No.111339 of 2020 (Vol.No.Z-313); I.A. No.111515 of 2020 (Vol.No.Z-312); Document Vol. No.R-141 and R-126] shall be handed over to the Forensic Auditors.

This item is deferred till 12.04.2021.

II Re.: IA Nos.122221, 122225 & 122226 of 2020 (Vol.No.Z-331); and, I.A. No.6521 of 2021 (Vol.No.I-162)

Mr. Siddharth Luthra, learned Senior Advocate has invited our attention to the response filed by Mr. Ajay Kumar (I-162). In his submission, the liability of his client will not be in the region as projected in the Note submitted by Mr. M.L. Lahoty, learned Advocate.

Mr. Luthra, on instructions, readily agreed to the suggestion that in order to show bona fides of his client, let an amount of Rs.10 crores be deposited in the Registry of this Court by his client within two weeks.

Ordered accordingly.

List this matter on 05.04.2021.

PART-III

IA-108696 & 108703 of 2020 (Vol.I-147) & IA-108670 & 108681 of 2020(Vol.I-148) - Applications by Greater NOIDA Authority for recalling of Court's orders dated 10.06.2020, 19.08.2020 and 25.08.2020

AND

R-119 (Prateek Infra Projects), R-120 (M/s Ace group of Companies), R-128 (Prateek Builtech Pvt Ltd), R-129 (Prateek Realtors India Pvt. Ltd) and Z-269 (51144 of 2020 in IA No. 49138 of 2020)

Because of paucity of time, these matters are taken up. At the request of the learned counsel, these matters are adjourned to 22.03.2021 to be taken up as first item on that date.

All the learned counsel have assured that they will complete their submissions well in time so that the learned counsel for NOIDA/Greater NOIDA will have sufficient time to argue in rejoinder on that very day.

(INDU MARWAH)
COURT MASTER (SH)

(VIRENDER SINGH)
BRANCH OFFICER