

ITEM NO.301

COURT NO.4
(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
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.940/2017

BIKRAM CHATTERJI & ORS.

Petitioners

VERSUS

UNION OF INDIA & ORS.

Respondents

(IA No.67992/2020 - FOR PERMISSION; IA No.111515/2020 - FOR PERMISSION; IA No.108703/2020 - FOR PERMISSION; IA No.111339/2020 - FOR PERMISSION; IA No.108681/2020 - FOR PERMISSION; IA No.67998/2020 - FOR PERMISSION; IA No.110402/2020 - FOR TAKING ON RECORD; IA No.110027/2020 - FOR TAKING ON RECORD; IA No.94047/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.109907/2020 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.112640/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.115340/2020 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.201/2021 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.99886/2020 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.109401/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.50370/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.90985/2020 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.111395/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.114868/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.115271/2020 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.118334/ 2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.123108/ 2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.130219/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.109599/ 2020 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.5092/2021 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.12994/2021 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.8260/2019 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.115256/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.113864/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.117324/2020 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.128357/ 2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.12103/2021 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.74385/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.115247/2020 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.9118/2021 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.109440/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.100367/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.112929/ 2020 - FOR APPROPRIATE ORDERS/ DIRECTIONS; IA No.120307/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.114877/2020 - FOR CLARIFICATION/DIRECTION; IA No.114869/2020 - FOR CLARIFICATION/ DIRECTION; IA No.114496/2019 - FOR CLARIFICATION/DIRECTION; IA No.89379/2020 - FOR CLARIFICATION/ DIRECTION; IA No.96598/2020 - FOR CLARIFICATION/DIRECTION; IA No.95831/2020 - FOR CLARIFICATION/DIRECTION; IA No.109576/2020 - FOR CLARIFICATION/ DIRECTION; IA No.122225/2020 - FOR CLARIFICATION/ DIRECTION; IA No.95273/2018 - FOR CLARIFICATION/DIRECTION; IA No.180011/2019 -

FOR CLARIFICATION/DIRECTION; IA No.115383/2020 - FOR CLARIFICATION/DIRECTION; IA No.189314/2019 - FOR COMPLIANCE OF COURTS ORDER; IA No.120019/2020 - FOR CONDONATION OF DELAY IN FILING; IA No.123500/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.90986/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.120016/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.199/ 2021 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.117730/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.113870/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.117725/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.74386/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.94049/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.202/2021 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.89380/2020 - FOR EXEMPTION FROM FILING O.T.; IA No.9115/2021 - FOR INTERVENTION APPLICATION; IA No.100361/2020 - FOR INTERVENTION; IA No.109438/2020 - FOR INTERVENTION; IA No.109903/2020 - FOR INTERVENTION; IA No.115337/2020 - FOR INTERVENTION; IA No.109397/ 2020 - FOR INTERVENTION; IA No.109882/2020 - FOR INTERVENTION; IA No.114490/2019 - FOR INTERVENTION; IA No.111393/2020 - FOR INTERVENTION; IA No.123105/2020 - FOR INTERVENTION; IA No.128378/2020 - FOR INTERVENTION; IA No.12982/2021 - FOR INTERVENTION; IA No.8259/2019 - FOR INTERVENTION; IA No.95828/2020 - FOR INTERVENTION; IA No.111314/2020 - FOR INTERVENTION; IA No.113859/2020 - FOR INTERVENTION; IA No.128241/2020 - FOR INTERVENTION; IA No.99884/2020 - FOR INTERVENTION/IMPLEADMENT; IA No.6397/2021 - FOR INTERVENTION/IMPLEADMENT; IA No.114865/2020 - FOR INTERVENTION/IMPLEADMENT; IA No.115267/2020 - FOR INTERVENTION/IMPLEADMENT; IA No.130209/2020 - FOR INTERVENTION/ IMPLEADMENT; IA No.109596/2020 - FOR INTERVENTION/IMPLEADMENT; IA No.115253/2020 - FOR INTERVENTION/IMPLEADMENT; IA No.4681/2021 - FOR INTERVENTION/IMPLEADMENT; IA No.109573/2020 - FOR INTERVENTION/IMPLEADMENT; IA No.117320/2020 - FOR INTERVENTION/ IMPLEADMENT; IA No.122221/2020 - FOR INTERVENTION/IMPLEADMENT; IA No.128350/2020 - FOR INTERVENTION/IMPLEADMENT; IA No.4656/2021 - FOR INTERVENTION/IMPLEADMENT; IA No.115184/2020 - FOR INTERVENTION/ IMPLEADMENT; IA No.182673/2019 - FOR MODIFICATION; IA No.182079/2019 - FOR MODIFICATION; IA No.182077/2019 - FOR MODIFICATION; IA No.99854/2020 - FOR MODIFICATION OF COURT ORDER; IA No. 122226/2020 - FOR MODIFICATION OF COURT ORDER; IA No. 60700/2020 - FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES; IA No. 127793/2019 - FOR RECALLING THE COURTS ORDER; IA No. 6521/2021 - FOR RECALLING THE COURTS ORDER; IA No. 127787/2019 - FOR RECALLING THE COURTS ORDER; IA No. 123299/2020 - FOR RECALLING THE COURTS ORDER; IA No. 108696/2020 - FOR RECALLING THE COURTS ORDER; IA No. 108670/2020 - FOR RECALLING THE COURTS ORDER; and IA No. 4900/2021 - FOR RESTORATION)

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

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

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

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

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

**W.P.(C) No.1018/2017 (X)
(IA No.119264/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No. 119263/2020 - FOR INTERVENTION; and, IA No. 110188/2020 - FOR INTERVENTION)**

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.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)

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

**Diary No.36392/2019 (X)
(IA No. 155351/2019 - FOR INITIATING CONTEMPT PROCEEDINGS)**

**CONMT. PET.(C) No.483/2020 in W.P.(C) No.940/2017 (X)
(IA No.109286/2020 - FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/
FACTS/ANNEXURES)**

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

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

IA No.100082/2017 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.82917/2018 - FOR CLARIFICATION/DIRECTION; IA No.55476/2018 - FOR CLARIFICATION/DIRECTION; IA No.148953/2018 - FOR CLARIFICATION/DIRECTION; IA No.35933/2018 - FOR CLARIFICATION/DIRECTION; IA No.125675/2018 - FOR CLARIFICATION/DIRECTION; IA No.14915/2018 - FOR CLARIFICATION/DIRECTION; IA No.7366/2018 - FOR CLARIFICATION/DIRECTION; IA No.112014/2018 - FOR CLARIFICATION/ DIRECTION; IA No.86430/2018 - FOR CONDONATION OF DELAY IN FILING; IA No.92775/2018 - FOR TAKING ON RECORD PROPOSAL FOR PAYMENT; IA No.41987/2018 - ON BEHALF OF RESP. NO 13 SEEKING PERMISSION TO PURSUE COMPANY APPLI. NO. 17(P.B) OF 2018; IA No.110167/2020 - FOR INTERVENTION; and, IA No.122810/2018 - FOR MODIFICATION)

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

(IA No.115289/2020 - FOR EXEMPTION FROM FILING TYPED DOCUMENTS; IA No.115285/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; and, IA No.102714/2017 - FOR CLARIFICATION/DIRECTION)

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

IA No.109946/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.111425/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.109920/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.111420/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.109910/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.111410/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.109891/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.109954/2020 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.109943/2020 - FOR INTERVENTION; IA No.111424/2020 - FOR INTERVENTION; IA No.109918/2020 - FOR INTERVENTION; IA No.111419/2020 - FOR INTERVENTION; IA No.109904/2020 - FOR INTERVENTION; IA No.111409/2020 - FOR INTERVENTION; and IA No.109953/2020 - FOR INTERVENTION)

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.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 : 04-03-2021 These matters were called on for hearing today.

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Mr. Christopher Dsouza, AOR
Mr. Deepak Prakash, AOR
Mr. Pawanshree Agrawal, AOR
Mr. G. N. Reddy, AOR
Mr. Abhinav Shrivastava, AOR
Mr. Ashwarya Sinha, AOR
Mr. Vipin Kumar Jai, AOR
Mr. Tahir Ashraf Siddiqui, AOR
Ms. Mridula Ray Bharadwaj, AOR
Mr. Sureshan P., AOR
Mr. Vishnu Sharma, AOR
Mr. Gaurav, AOR
Mr. B. K. Satija, AOR
Mr. Chandra Prakash, AOR
Mr. Ejaz Maqbool, AOR
Mr. Mishra Saurabh, AOR
Ms. Rashmi Singh, AOR
Mr. T. Mahipal, AOR
Mr. Anas Tanwir, AOR
Mr. Anoop Prakash Awasthi, AOR
Mr. Sarvam Ritam Khare, AOR
Ms. Anindita Pujari, AOR

Mr. Siddhartha Jha, AOR

Ms. Bharti Tyagi, AOR

Mr. Aneesh Mittal, AOR

Ms. Suruchii Aggarwal, AOR

Mr. Ajit Sharma, AOR

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

Mr. R. Venkataramni, learned Receiver has circulated a Note submitting *inter alia* that he has had rounds of discussion with Chairman, Housing and Urban Development Corporation (HUDCO).

In order to ensure that financial assistance gets extended from HUDCO, learned Receiver has urged this Court to pass certain directions.

Before we take up the matter, in our view, Notices with respect to the Note must be issued to Mr. M.L. Lahoty, learned Advocate representing the cause of home-buyers; Mr. Ravindra Kumar, learned Advocate representing NOIDA/Greater NOIDA where most of the Amrapali Projects

are situate; and Mr. Manoj Singh, learned Advocate who represents Amrapali Group of Companies.

We also issue notice to Mr. Kumar Dushyant Singh, learned Advocate representing HUDCO.

Let the Note of the learned Receiver be circulated to the learned counsel.

This matter be listed on 05.03.2021 as First Item.

B) Re.: RELEASE OF PAYMENT IN TERMS OF LETTERS RECEIVED FROM THE LEARNED COURT RECEIVER

Perused the office report, to which certain letters addressed by learned Receiver are appended. These letters seek release of amounts as under:

- A) Letter dated 28.01.2021 seeking release of a sum of Rs.3,33,000/- towards professional fees of Mr. Devendra Kumar Mishra;
- B) Letter dated 24.12.2020/14.02.2021 seeking release of Rs.10 lakhs in favour of learned Receiver towards administrative and other expenses;
- C) Letter dated 09.02.2021 seeking release of Rs.23,87,044/- in favour of MSTC Ltd.

relating to their services rendered for e-auction.

The Registry is directed to release the above payments immediately and, in any case, not later than three days from today.

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

It was also submitted by learned Receiver that a communication has been addressed to the Registry requesting release of payment of Rs.5 Crores in favour of NBCC, which amount has not yet been released.

The Registry shall inform the Court about the status of the request for release of the abovementioned amount to the NBCC by tomorrow.

D) Re.: FUNDING FROM SWAMIH

Learned Receiver has also informed the Court that all the formalities having been completed, final documentation regarding funding through "Special Window for Affordable and Mid-Income Housing" (SWAMIH) will be executed next week, whereafter the funding can immediately start from SWAMIH.

We welcome the step and place on record our sincere appreciation for the efforts put in by all the concerned.

PART-II

Re.: I.A. No.27679 of 2021 (Vol.I-167); I.A. Nos.60324 and 60396 of 2020 (Vol.I-116); I.A. No.115285 of 2020 (Vol.I-151); and, Document Vol.No.R-154

I.A. No.27679 of 2021 (Vol.I-167) has been filed by State of Uttar Pradesh seeking modification/clarification of the order dated 10.07.2020 passed by this Court directing transfer of investigation of pending FIRs to the Economic Offences Wing (EoW).

Mr. S.V. Raju, learned ASG for the State has invited our attention to the order dated 28.02.2019 and to the Chart of Cases appended thereto. While considering I.A. No.35430 of 2019, the order had directed as under:

"Let the Police investigate the entire gamut of the scenario of the various projects, as projected in this case and various orders passed and investigate the entire matter. Prime facie, we find that the case requires serious investigation in the facts projected by the Directors, CFO and the statutory auditors."

The subsequent order dated 10.07.2020 dealt with I.A. No.60324 of 2020 (Vol. No.I-116), preferred on behalf of the Deputy Commissioner of Police, Economic Offences Wing, Delhi Police, New Delhi. This Application had enclosed letter dated 07.01.2020 written by Deputy Commissioner of Police, Gautam Budh Nagar to Deputy Commissioner of Police, Police Headquarters, Parliament Street, New Delhi, which in turn had referred to the approval dated 04.12.2019 alongwith recommendations emanating from the office of the Inspector General of Police, Meerut Range, Meerut, to transfer all the cases to Economic Offences Investigation Organization, New Delhi.

It was submitted by Mr. S.V. Raju, learned ASG that most of these complaints were individual complaints and by transferring such complaints and clubbing them along with the other matters, the interest of the individual complainants would actually stand prejudiced. The second limb of the submission is that there was no clarity as to whether the investigation would be transferred to EoW Delhi or to EoW Uttar Pradesh. Elaborating further, it was submitted that EoW, Uttar Pradesh had undertaken investigation and in most of these matters, the

investigation has been completed but the final papers are yet to be placed before the concerned Courts.

Mr. Mukul Singh, learned Advocate appearing for EoW, Delhi has accepted that all the papers concerning these cases were not transmitted to EoW, Delhi. He has further submitted that EoW, Delhi has no objection if the investigation is actually conducted by EoW, Uttar Pradesh.

Mr. Sanjay R. Hegde, learned Senior Advocate appearing for respondent no.7 Anil Kumar Sharma, has relied upon the very same letter dated 07.01.2020 to submit that there was no confusion at any juncture that the matters were required to be transferred to EoW, Delhi. He further submits that none of those complainants ever raised any objection to the transfer and clubbing of all the crimes to be investigated into by a single agency.

In the circumstances, we see no force in the instant application. We reject the submissions advanced by Mr. Raju, and dismiss I.A. No.27679 of 2021 (Vol. No.I-167).

I.A. No.115285 of 2020 (Vol. No.I-151) is also disposed of.

PART-III

Re.: I.A. No.12103 OF 2021 (Vol.I-163); and,
Document Vol. No.R-159

This application has been filed on behalf of M/s. Mahagun Real Estate Pvt. Ltd. ("Mahagun" for short) seeking following principal reliefs:-

- "(a) Directing that on completion of the payment of third and final installment on/before 31.03.2021, by the Applicant Company, NOIDA execute a lease deed directly in favour of Mahagun Infratech Private Limited, which is a downstream subsidiary of the Applicant company, in place of the Applicant Company itself.
- (b) Directing NOIDA to provide an updated site plan of the Mahagun Plot, being GH-01/A(Alpha) in Sector 107, Noida, admeasuring 40,000 sq.m."

It is submitted that under order dated 28.07.2020, this Court had permitted Mahagun to deposit a sum of Rs.240 Crores in the Registry of this Court within six weeks from the date; and NOIDA was directed to indicate its dues within 15 days. By subsequent order dated 07.09.2020, Mahagun was permitted to deposit said sum of Rs.240 Crores in three instalments, namely, (i) Rs.35 Crores to be deposited on or before 31.10.2020;

(ii) Rs.65 Crores to be deposited by 31.12.2020; and
(iii) the rest of the sum, namely, Rs.140 Crores along with interest @ 9.25% p.a. to be deposited by 31.03.2021.

The application submits that in compliance of those directions, first two instalments of Rs.35 Crores and Rs.65 Crores respectively have been deposited within the stipulated period. The application then submits as under:

- "4 The Applicant respectfully submits that the Applicant Company is in the process and planning stages of the proposed housing project to be constructed on the Mahagun Plot (hereinafter referred to as 'the instant project'). With the intent to deliver the proposed housing project in a timely fashion and to boost the confidence of the prospective buyers, the Applicant proposes that the instant project be developed by the Applicant in a separate SPV, which shall be a downstream subsidiary of the Applicant Company. This is the usual way in which such projects are executed and beneficial to the interests of all the stakeholders, as elaborated below.
5. Since the Applicant, Mahagun Real Estate Pvt. Ltd. is already developing one project (namely, 'Mahagun Marina' located at Plot No.C-02, Sector 16B, Greater Noida West, which is at initial construction stage), developing another project by and under the same company (i.e. Mahagun Real Estate Pvt. Ltd., the Applicant) will not be the efficient and appropriate manner of developing the instant project. It may also create concerns in the minds of the buyers of existing project i.e. Mahagun Marina, as well

as buyers of the instant project. The proposed SPV will be the most efficient and desirable way of executing the instant project. It will be appropriate that the Mahagun Plot is dealt with under a company, being an SPV, which is dedicated to the Mahagun Plot, and not dealing with any other construction/project of the Applicant Company i.e. Mahagun Real Estate Private Limited."

In the circumstances, it is prayed that upon due discharge of obligations in terms of various directions issued by this Court and upon payment of third and final instalment on or before 31.03.2021, NOIDA be directed to execute lease deed directly in favour of Mahagun Infratech Private Limited ("Mahagun Infratech" for short).

Notice was issued on the application on 22.02.2021 and Mr. Ravindra Kumar, learned Advocate for NOIDA accepted notice. At his request, the matter was deferred for a week. Mr. Ravindra Kumar, learned Advocate has filed response (Vol. No.R-159) to the application. The response submits *inter alia*:

"6A. It is, therefore, humbly prayed that the Applicant be directed to place on record the shareholding of both the companies, as on the date of the order dated 28.7.2020 and based thereon it would have to be seen whether any charges are payable to the State and or NOIDA."

Mr. Ravindra Kumar submits that shareholding pattern of the Company with which the arrangement is to be entered into by NOIDA must always be informed to NOIDA and that NOIDA must be kept in the know of any changes in the shareholding pattern.

The lease deed is yet to be executed. If post such execution, there be any changes in the shareholding pattern of the Corporate entity, such changes must be in accord with the extant Rules or regime put in place by the authorities. As of now, no document has yet been executed. All that is being requested is that instead of the document being executed in favour of Mahagun, the documentation be done in favour of Mahagun Infratech.

It is submitted by Mr. Parag Tripathi, learned Senior Advocate that both these companies are part of the same group and Mahagun is also a shareholder in Mahagun Infratech.

In the circumstances, we see nothing wrong in the instant application.

Needless to say that the apprehension expressed by Mr. Ravindra Kumar shall be taken care of and in case there be any change in the shareholding pattern of

Mahagun Infratech, the same shall immediately be brought to the notice of NOIDA.

We, therefore, accept the application and allow the first prayer and direct NOIDA to act in terms of the second prayer made in the application.

IA No.12103 of 2021 (Vol.I-163) is disposed of.

PART-IV

Re.: NOTE DATED 08.02.2021 SUBMITTED BY MR. M.L. LAHOTY, ADVOCATE

ITEM-I - Re.: Tenders by NBCC for remaining Projects

Mr. M.L. Lahoty, learned Advocate, at the outset, has invited our attention to paragraph 6 of his Note dated 08.02.2021 and has submitted that in accordance with the directions issued by this Court in its order dated 18.06.2020, the NBCC was directed to issue tenders for the remaining projects including "Tech Park", but no information has been forthcoming on this front.

Mr. Gudipati G. Kashyap, learned counsel appearing for the NBCC accepts notice in respect of this issue. He prays for and is granted a week's time to respond.

Let this matter be listed on 22.03.2021.

ITEM-II - Re.: SBI CAPS

It is submitted that since learned Receiver has reported that the final documents regarding funding through "Special Window for Affordable and Mid-Income Housing" (SWAMIH) would be executed next week, nothing further need be done with regard to this issue.

This issue is, accordingly, closed.

ITEM-III - Re.: DELIVERY OF FLATS BY NBCC

It is submitted that as per the delivery schedule of NBCC, 145 flats and 121 flats were to be completed and made ready to be handed over by January 2021 and February 2021. In addition, as per earlier reporting by the NBCC, 230 flats were completed in all respects.

Mr. Gudipati G. Kashyap, learned counsel appearing for the NBCC submits that exact status of the matter shall be dealt with in their response to be filed within a week.

List this matter for further consideration on 22.03.2021.

PART-V

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

Heard Mr. Siddharth Luthra, learned Senior Advocate.

List these applications for further hearing on
05.03.2021.

PART-VI

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

Heard Mr. Rakesh K. Khanna and Mr. P.N. Misra,
learned Senior Advocates.

List these applications for further hearing on
05.03.2021.

PART-VII

Re.: IA Nos.9115 of 2021 and 9118 of 2021 (Vol. No.Z-343)

Let a copy of these applications be served upon Mr.
M.L. Lahoty, learned Advocate to enable him to respond.

List these applications after four weeks.

PART-VIII

All the remaining Interlocutory Applications on Board
are adjourned to 05.03.2021.

**(MUKESH NASA)
COURT MASTER**

**(VIRENDER SINGH)
BRANCH OFFICER**