

ITEM NOS.2+4+13+14+15+16

COURT NO.10

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

**ITEM NO.2:**

Writ Petition(s)(Civil) No(s).940/2017

BIKRAM CHATTERJI &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(IA No.135815/2017-I/A U/S 152 R/W SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908 SEEKING CLARIFICATIONS IN RESPECT OF/MODIFICATION OF THE COMMON ORDER DATED 22.11.2017 PASSED BY THIS HON'BLE COURT TO BE LISTED ON 15.12.2017 and IA No.140265/2017-impleading party and IA No.140269/2017-PERMISSION TO FILE APPLICATION FOR DIRECTION and IA No.5158/2018-INTERVENTION APPLICATION and IA No.6603/2018-impleading party and IA No.6608/2018-CLARIFICATION/DIRECTION and IA No.6855/2018-IA FOR GRANTING PERMISSION TO ACCESS THE PORTAL FACILITY and IA No.7365/2018-impleading party and IA No.14759/2018-impleading party)

WITH

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

(FOR ADMISSION and IA No.124191/2017-INTERVENTION APPLICATION and IA No.124195/2017-CLARIFICATION/DIRECTION and IA No.125372/2017-impleading party and IA No.126340/2017-impleading party and IA No.7355/2018-CLARIFICATION/DIRECTION)

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

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 100082/2017 and IA No.6004/2018-INTERVENTION APPLICATION and IA No.7366/2018-CLARIFICATION/DIRECTION and IA No.13482/2018-impleading party and IA No.14915/2018-CLARIFICATION/DIRECTION)

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

(FOR ADMISSION and IA No.102714/2017-CLARIFICATION/DIRECTION)

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

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 100453/2017 and IA No.6312/2018-CLARIFICATION/DIRECTION)

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

(FOR ADMISSION and IA No.109963/2017-)  
W.P.(C) No. 1144/2017 (X)

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 124701/2017)

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

(FOR ADMISSION and IA No.6467/2018-impleading party)

W.P.(C) No. 1156/2017 (X)  
(and IA No.7144/2018-impleading party)

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

WITH

ITEM NO.4:

Writ Petition(s)(Civil) No(s). 1242/2017

ITEM NO.13

Writ Petition(s)(Civil) No(s). 58/2018

ITEM NO.14:

Writ Petition(s)(Civil) No(s). 57/2018

ITEM NO.15:

Writ Petition(s)(Civil) No(s). 21/2018

ITEM NO.16:

Writ Petition(s)(Civil) No(s). 52/2018

Date : 31-01-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MR. JUSTICE AMITAVA ROY

For the

appearing parties: Mr. Dhruv Mehta, Sr. Adv.  
Mr. Amit Goel, Adv.  
Mr. Gurinder Singh Gill, Sr. Adv.  
Mr. Ajay Pal, Adv.  
Ms. Bhupinder, Adv  
Ms. Vandana M. Hooda, Adv.

Mr. Gaurav Banerji, Sr. Adv.  
Mr. S.S. Ray, Adv.  
Mr. Manmeet Singh, Adv.  
Ms. Anjali Acharyil, Adv.  
Mr. Anugrah Robin Frey, Adv.  
Ms. Geetanjali Shahi, Adv.  
Mr. Sahil Tagotra, Adv.  
Mr. Vaibhav Gulia, Adv.  
Ms. Rakhi Ray, AOR  
Mr. M.L. Lahoty, Adv.  
Mr. Paban K. Sharma, Adv.  
Mr. Anchit Sripat, Adv.  
Mr. Himanshu Shekhar, AOR

Mr. Ashwarya Sinha, AOR

Mr. Chander Uday Singh, Sr. Adv.  
Mr. J. Mehta, Adv.  
Ms. Divya Roy, AOR

Mr. SumanTripathy, Adv.  
Mr. Chinantan Das, Adv.  
Mr. R.P. Goyal, Adv.

Mr. Abhimanyu Bhandari, Adv.  
Ms. Nattasha Garg, Adv.  
Mr. Cheitanya Madan, Adv.  
Mr. Shadan Farasat, AOR

Mr. Basava Prabhu S. Patil, Sr. Adv.  
Mr. Mukesh Kumar, Adv.  
Mr. Shekhar Kumar, AOR

Ms. Nitya Ramakrishnan, Adv.  
Mr. Shadan Farasat, Adv.  
Ms. Rudrakshi Deo, Adv.

Mr. R. Sathish, AOR  
Mr. Mohan Das K.K. Adv.  
Mr. Rajesh Kumar, Adv.  
Ms. S. Geetha, Adv.  
Ms. Smitha Rani, Adv.

Mr. Krishnan Venugopal, Sr. Adv.  
Ms. Sayaree Basu Mallik, AOR

Mr. Vivek Narayan Sharma, AOR  
Mr. Sidharth Mahajan, Adv.  
Mr. Ajay Singh, Adv.  
Mr. Maneesh Pathak, Adv.  
Mr. Rajeev Kumar Jha, Adv.  
Mr. Manish Pratap Singh, Adv.

Mr. Shovan Mishra, Adv.  
Mr. Ravindra Kumar, AOR

Mr. Ajay Kumar Jain, Adv.  
Mr. Rabin Majumder, AOR

Mr. Brijender Chahar, Sr. Adv.  
Mr. Sukant Vikram, Adv.

Mr. Akhilesh Kumar Pandey, AOR  
Mr. Brahma Kumar Pathak, Adv.

Mr. Siddhartha Jha, Adv.  
Mr. Akash Nagar, Adv.

Mr. Ranjit Kumar, Sr. Adv.  
Mr. Dhruv Mehta, Sr. Adv.  
Mr. Alok K. Agarwal, Adv.  
Mr. Dhruv Gandhi, Adv.  
Ms. Rafi Tandon, Adv.  
Mr. Gaurav Goel, AOR

Mr. Sumant Batra, Adv.  
Mr. Honey Satpal, Adv.

Mr. Bishwajit Dubey, Adv.  
Ms. Srideepa Bhattcharayya, Adv.  
Mr. Aditya Marwah, Adv.  
Mr. Manpreet Lamba, Adv.  
For M/S.Cyril Amarchand Mangaldas, AOR

Mr. Ajit Kumar Sinha, Sr. Adv.  
Mr. Ashwarya Sinha, AOR  
Mr. Shwetabh Sinha, Adv.

Mr. Gaurav Banerji, Sr. Adv.  
Mr. S.S. Ray, Adv.  
Mr. Manmeet Singh, Adv.  
Ms. Anjali Acharyil, Adv.  
Mr. Anugrah Robin Frey, Adv.  
Ms. Geetanjali Shahi, Adv.  
Mr. Sahil Tagotra, Adv.  
Mr. Vaibhav Gulia, Adv.  
Ms. Rakhi Ray, AOR

Mr. P.S. Narasimha, ASG  
Mr. Vikramjeet Benerjee, Sr. Adv.  
Mr. S.S. Shamsery, Adv.  
Mr. Mukul Singh, Adv.  
Mr. Mukesh Kumar Maroria, AOR

Mr. Vishnu Sharma, Adv.  
Mr. Anupama Sharma, Adv.  
Ms. Sonali Negi, Adv.  
Mr. Gautami Budhapriya, Adv.  
Mr. P.J. Philip, Adv.

Mr. Gaurav Bhatia, AOR  
Mr. Utkarsh Jaiswal, Adv.  
Mr. Anuroop Chakravarti, Adv.

Ms. V. Mohana, Sr. Adv.  
Mr. Mukul Singh, Adv.  
Mr. Saurabh S.S, Adv.  
Mrs. Anil Katiyar, AOR

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

Impleadment allowed.

Issue notice in all the matters/applications where notice has not been issued as yet, returnable on 21.2.2018.

Heard the learned counsel for the parties.

Several aspects have been pointed out to proceed further in the matter. It was submitted by the learned counsel appearing for the Insolvency Resolution Professional ('IRP', in short) that fire fighting devices are not installed in various buildings which have come up and are being occupied by thousands of families of Phase-I of Silicon City of Amrapali in Sector 76, NOIDA. A consensus has been reached between the parties that fire fighting system, electrical infrastructure and fire safety works should be made functional, as early as possible. It is undertaken by the promoters, who are represented by Shri Ranjit Kumar, learned senior counsel, that they will be making necessary expenditure to bring the aforesaid system in order.

Consequently, we order that aforesaid system be made in functional within a period of four weeks from today. There is no objection by the IRP to the aforesaid. They shall not obstruct the promoter to complete aforesaid works.

It was pointed out by the learned senior counsel Shri Chander Uday Singh that IRP is raising demands to home buyers to make deposit directly to them of the dues to the promoters, which are in fact to be given to the Company on a later date. As the home buyers have not been given the possession of the accommodation so far, we direct that IRP shall not insist them to make any deposit and shall not issue any notice for any further demand unless permitted to do so.

It was pointed out by Shri Dhruv Mehta, learned senior counsel, as well as Shri Gaurav Banerjee, learned senior counsel, that certain proposals have been submitted to complete some of the projects.

Let detailed proposal be submitted with respect to all the projects, which are incomplete, and the stages at which they are at present and how much money is required to complete each of the project and copy of the proposal to be exchanged between the parties. Let the proposal be given within a week. Copy to be given within the same period.

Let the condition No. 1 in order dated 22.11.2017, with respect to deposit 10% of the dues of respondent No.7, be complied with by the next date. The Greater Noida Authority as well as the Noida Authority to file affidavit with respect

to compliance of the condition, as to whether it has been complied with or not in relation to all the projects.

Let the views of respective parties on the proposal be submitted within next 10 days thereafter.

List on 21.2.2018.

**(B.PARVATHI)**  
**COURT MASTER**

**(JAGDISH CHANDER)**  
**BRANCH OFFICER**