

ITEM NO.301

COURT NO.2

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 &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(WITH: ISSUE RELATED TO SALE OF RESORT LAND AT UDAIPUR; MATTER CONCERNING SUREKHA FAMILY; (IA No.12572/2022 - FOR APPROPRIATE ORDERS/DIRECTIONS; IA No.170313/2021 - FOR CLARIFICATION/DIRECTION; IA No.33118/2022 - FOR CLARIFICATION/DIRECTION; IA No.138752/2021 - FOR EXEMPTION FROM FILING AFFIDAVIT; IA No.170314/2021 - FOR EXEMPTION FROM FILING O.T.; IA No.170312/2021 - FOR INTERVENTION; IA No.138750/2021 - FOR INTERVENTION; IA No.47162/2022 - FOR INTERVENTION/IMPLEADMENT; IA No.31467/2022 - FOR INTERVENTION/IMPLEADMENT; and, IA No.47165/2022 - FOR PERMISSION TO APPEAR AND ARGUE IN PERSON)

WITH

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

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

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

Diary No.36392/2019 (X)

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

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

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

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

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

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

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

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

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

W.P.(C) No.267/2018 (X)  
W.P.(C) No.1018/2017 (X)  
W.P.(C) No.353/2018 (X)  
W.P.(C) No.460/2018 (X)  
W.P.(C) No.829/2018 (X)  
W.P.(C) No.742/2018 (X)  
W.P.(C) No.199/2018 (X)  
W.P.(C) No.134/2018 (X)  
W.P.(C) No.164/2018 (X)  
W.P.(C) No.1206/2017 (X)  
W.P.(C) No.281/2018 (X)  
W.P.(C) No.1116/2017 (X)  
W.P.(C) No.1156/2017 (X)  
W.P.(C) No.1144/2017 (X)  
W.P.(C) No.1041/2017 (X)  
W.P.(C) No.971/2017 (X)  
W.P.(C) No.947/2017 (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.131/2018 (X)  
W.P.(C) No.182/2018 (X)  
W.P.(C) No.942/2017 (PIL-W)  
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.160/2018 (X)

Date : 25-04-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MS. JUSTICE BELA M. TRIVEDI

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Mr. Pawan Kapoor, Party-In-Person

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

## **PART-I**

**Re.: MATTERS CONCERNING SUREKHA FAMILY**

**IA No127787 of 2019 – For Recall of Order dated 23.07.2019 (Vol. No.I-85); IA No.127793 of 2019 – For Recall of Order dated 23.07.2019 (Vol. No.I-86); IA No.189314 of 2019 – Application on behalf of Surekha Family (Vol. No.I-103); IA No.60700 of 2020 – For placing on record documents on behalf of Surekha Family (Vol. No.I-119); , IA No.110027 of 2020 – For placing on record affidavit dated 02.05.2019; (Vol. No.I-149); IA No.110402 of 2020 – For placing on record additional document (Vol. No.I-150); and, Document Vol. No.R-64 – Reply on behalf of Surekha Family to IA No.50370 of 2020; Document Vol No.R-71 – Objection on behalf of Surekha Group; Document Vol No.R-101 – Convenience Note-I; Document Vol No.R-102 – Convenience Note-2; Document Vol No.R-143 – Convenience Note Vol.-I dated 04.01.2021; Document Vol No.R-144 – Convenience Note Vol.-2 dated 04.01.2021; and, Document Vol No.R-170 – Affidavit on behalf of Surekha Group.**

This group of matters was directed to be listed today as First Item on Board. However, a letter has been circulated by Ms. Anubha Agrawal, learned Advocate that the main counsel having lost her husband recently, adjournment by a week be granted.

We accept the request and list these matters on 02.05.2022 as First Item on Board.

## **PART – II**

**Re.: FUNDING BY BANKS**

### **PART-A**

Mr. Alok Kumar, learned Advocate appearing for the Consortium of Banks submits that an amount of Rs.280 Crores has been released today in favour of ASPIRE, so that construction activities undertaken by the NBCC can function smoothly. Statement recorded.

Nothing further need be done in the matter.

### **PART-B**

Vide order dated 04.04.2022, the Note submitted by learned Court Receiver under the Heading “Funding by Banks” was considered and certain directions were issued by this Court.

Mr. Rajul Shrivastav, learned Advocate appearing for New Raipur Development Authority submits that appropriate response on behalf of the said Authority shall be filed within a week.

List this matter for consideration on 09.05.2022.

### **PART - III**

**Re: I.A. No. 169415 of 2018 – For Impleadment/Intervention (Vol. No.Z-69); and, I.A. No.169613 of 2018 – For Modification of Court’s Order (Vol. No.I-53) – (Both Disposed of Applications); and, Short List of Dates filed in the matter of Atal Nagar Vikas Pradhikaran, Formerly known as Naya Raipur Development Authority, Raipur, Chhattisgarh.**

This matter has been mentioned by Mr. Rajul Shrivastav, learned Advocate.

This issue will be dealt with after the issue concerning Surekha Family is finally dealt with and disposed of.

### **PART - IV**

**Re: I.A. Nos. 35220 and 35225 of 2022 – For intervention on behalf of M/s. Moonbuild Tech Pvt. Ltd. and for Directions (Vol. No.Z-389); I.A. Nos.155928 and 155931 of 2021 – for intervention on behalf of Gaurav Sahni and for Directions (Vol. No.Z-377); and, I.A. Nos.108093 and 108101 of 2021 – For Intervention on behalf of Amardeep Kumar and for Directions (Vol. No.Z-365)**

These applications have been mentioned by Mr. M.L. Lahoty, learned Advocate submitting that these applications have not yet been taken up for consideration.

Let copies of these applications be served upon the office of learned Court Receiver, who may file his response within three weeks from today.

List these applications at the first sitting after summer vacation.

### **PART - V**

**Re: I.A. No. 112929 of 2020 – For direction on behalf of Nutan Arora & others (Vol. No.I-153)**

Mr. M.L. Lahoty, learned Advocate has invited our attention to the order dated 05.04.2021 which had considered various applications including the instant application under Part-F of the order and had issued notice to the Forensic Auditor and learned Court Receiver.

It is submitted that the response from the office of Court Receiver has not yet been filed.

List this application for consideration on 09.05.2022.

### **PART – VI**

**Re.: I.A. No.45439 of 2021 – For Directions (Vol. No.I-169); and, Document Vol. No.R-165 (concerning M/s. Mahagun Real Estate Pvt. Ltd.) - [Disposed of matter]**

Mr. Parag Tripathi and Mr. Joy Basu, learned Senior Advocates appearing for M/s. Mahagun Real Estate Pvt. Ltd. have mentioned this matter and submitted that the directions issued by this Court have been complied with by their client and the sum as indicated in the orders passed by this Court has also been deposited.

Mr. Ravindra Kumar, learned Senior Advocate appearing for NOIDA Authority submits that the appropriate documentation has also been executed between the parties and in terms of the directions issued by this Court, money deposited by M/s. Mahagun in the Registry of this Court must now be made over in favour of the NOIDA Authority.

List this matter on 09.05.2022 as First Item on Board.

## **PART - VII**

**Re: I.A. No. 12572 OF 2022 (Vol. No.I-185) and I.A. No.31467 of 2022 (Vol. No.Z-386) – Applications on behalf of M/s. La Residentia Developers Private Limited**

Mr. V. Giri, learned Senior Advocate has mentioned this matter and submitted that it requires urgent disposal.

Mr. Giri has circulated a Brief Note, copies of which have been given to UP RERA and other respondents as well as learned Court Receiver.

However, Mr. Ravindra Kumar, learned Senior Advocate appearing for Greater NOIDA Authority submits that copy of the Brief Note has not yet been served upon him.

Mr. Pawan Kapoor, on behalf of himself and his wife Ms. Kiran Kapoor, respondent No.10, submits that copies of the response filed by Greater NOIDA Authority to the application preferred by M/s. La Residentia has not been served upon them.

Mr. Ravindra Kumar, learned Senior Advocate assures the Court that appropriate action will be undertaken and copies thereof shall be served upon Mr. and Ms. Kapoor immediately.

We direct that the matter be listed for disposal on 09.05.2022.

### **PART - VIII**

**Re: I.A. Nos. 61652, 61654 and 61655 of 2022 – Applications for Intervention, Direction and Exemption from filing Notarized Affidavit on behalf of applicant Prachi Paisal (Vol. No.Z-394)**

These applications have been mentioned by Mr. Deepak Prakash, learned Advocate.

Let these applications be on Board on 02.05.2022.

### **PART - IX**

**Re: I.A. No. 43780 of 2021 – Application on behalf of Mr. Mahendra Singh Dhoni for Directions and/or Clarifications (Vol. No.I-168)**

This matter has been mentioned by Mr. Udbhav Nanda, learned Advocate appearing for the applicant.

List this matter on 16.05.2022.

### **PART - X**

**Re: I.A. Nos. 27213, 27193 and 27275 of 2022 – Applications on behalf of Paschimanchal Vidhyut Vitran Nigam Ltd. for Directions (Vol. Nos.I-188, 189 & 190)**

These applications are mentioned by Mr. Pradeep Misra, learned Advocate.

List these applications on 09.05.2022.

**PART - XI**

All the remaining Interlocutory Applications on Board are adjourned to  
02.05.2022 at 2.00 p.m.

(MUKESH NASA)  
COURT MASTER

(VIRENDER SINGH)  
BRANCH OFFICER