

ITEM NO.56

COURT NO.8

(REVISED FOR APPEARANCE)
SECTION XVIIS U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSCONMT.PET.(C) No. 1820-1822/2017 in CONMT.PET.(C) No. 413/2012 In
C.A. No. 9833/2011

SECURITIES AND EXCHANGE BOARD OF INDIA

Petitioner(s)

VERSUS

SUBRATA ROY SAHARA AND ORS. & ORS.

Respondent(s)

(IA No. 159484/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 159473/2022 - INTERVENTION APPLICATION)

WITH

SLP(C) No. 16009-16010/2022 (XIV)

(IA No. 153315/2022 - MODIFICATION OF COURT ORDER)

W.P.(C) No. 877/2018 (X)

(FOR ADMISSION

IA No. 96025/2020 - APPLICATION FOR TAGGING/DETAGGING)

CONMT.PET.(C) No. 412/2012 In C.A. No. 9813/2011 (XVII)

(Only

FOR ON IA 251/2017

IA No. 166294/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 30932/2018 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 137135/2018 - CLARIFICATION/DIRECTION

IA No. 32764/2019 - INTERVENTION/IMPLEADMENT)

Date : 02-12-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Parties

Mr. R. Venkatramani, AG

Mr. Tushar Mehta, SG

Mr. Piyush Beriwal Adv.

Mr. Rajat Nair Adv.

Mr. Anirudh Sangneria Adv.

Mr. Anirudh Sharma Adv.

Mr. Amrish Kumar, AOR

Mr. Pratap Venugopal, AOR

Ms. Surekha Raman, Adv.

Mr. Akhil Abraham Roy, Adv.
Mr. Vijay Valsan, Adv.
Mr. Abhishek Anand, Adv.
Ms. Surekha Raman, Adv.
Mr. Akhil Abraham Roy, Adv.

M/S. K J John And Co, AOR

Mr. Sumeer Sodhi, AOR
Mr. Arjun Nanda, Adv.
Mr. Rohit Saroj, Adv.

Mr. Biswajit Bhattacharyya, Sr. Adv.
Mr. Sahil Tagotra, AOR
Ms. Abhivyakti Banerjee, Adv.

Mr. Kapil Sibal, Sr. Adv.
Mr. Gautam Awasthi, AOR
Mr. Ayush Choudhury, Adv.
Mr. Devanshu Yadav, Adv.
Mr. Sameer Pandey, Adv.
Mr. Rahul Tripathi, Adv.
Mr. Ram Sajan Yadav, Adv.
Mr. Vijay Kumar, Adv.

Mr. Sahil Tagotra, AOR

Mr. Preshit Vilas Surshe, AOR

Mr. Salim A. Inamdar, Adv.
Ms. Pragya Baghel, AOR

Mr. Ravindra Keshavrao Adsure, AOR
Mr. Yash Prashant Sonavane, Adv.
Mr. Rohan Darade, Adv.
Ms. Sakshi Ajit Kale, Adv.
Mr. Gopal Balwant Sathe, Adv.

Mr. Raj Bahadur Yadav, AOR

Dr. Maneka Guruswamy, Sr. Adv.
Mr. Pranaya Goyal, AOR
Mr. Madhav Ved, Adv.
Mr. Utkarsh Pratap, Adv.
Ms. Sachi Udeshi, Adv.
Ms. Miloni Rathore, Adv.
Mr. Rajwansh Chudhary, Adv.

Mr. Kaushal Yadav, AOR

Mr. Kunal Cheema, AOR

Mr. Shivam Dube, Adv.
 Mr. Sanjay Dubey, Adv.
 Mr. Roshan Kumar Singh, Adv.

Mr. Kunal Cheema, AOR

Mr. Amol Nirmalkumar Suryawanshi, AOR

Ms. Vandana Sehgal, AOR

Mr. Shyam Divan, Sr. Adv.
 Mr. Govind Manoharan, Adv.
 Ms. Anshula Laroiya, Adv.
 Mr. Jatin Zaveri, AOR
 Mr. Neel Kamal Mishra, Adv.
 Mr. D.S. Mishra, Adv.

Mr. Gaurav Agrawal, AOR
 Mr. Omkar Geedh, Adv.
 Mr. George Thomas, Adv.

Mr. Chirag M. Shroff, AOR
 Mr. Shailendra P. Singh, Adv.

Ms. Jasmine Damkewala, AOR
 Ms. Vaishali Sharma, Adv.
 Ms. Lovely Garg, Adv.
 Mr. Dinesh Chander Trehan, Adv.

Ms. Vaishali Sharma, Adv.
 Ms. Lovely Garg, Adv.
 Mr Dinesh Chander Trehan, Adv

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

Our attention is drawn to paragraph 26.5 of the judgment and order dated 04.06.2014, which is reported as "*SEBI v. Sahara India Real Estate Corporation Limited and Others*", (2014) 8 SCC 751. The paragraph reads :-

"

XX

XX

XX

26.5 Keeping in view the importance of the issues that fall for determination in these proceedings and the ramifications that the directions issued by this Court may have as also the fact that one very important order which is sought to be enforced in these proceedings was passed by a three-Judge Bench, we refer these proceedings to a three-Judge Bench to be constituted by the Hon'ble Chief Justice of India.

xx xx xx''

Accordingly, the cases may be placed before the Hon'ble Chief Justice of India for the constitution of a Bench of three Judges.

Mr. Bishwajeet Bhattacharya, learned senior advocate states that he wants to withdraw I.A. Nos. 253-255/2017. Mr. Pratap Venugopal, learned advocate appearing on behalf SEBI, however, opposes the said request. No orders have been passed today.

Some of the learned counsel for the parties have stated that the applications filed by them have not been shown in the Cause List. Learned counsel for the parties will approach the Registry and give the details of the applications which have not been listed. The Registry would act appropriately in this regard.

List before the appropriate Bench on 07.12.2022.

(BABITA PANDEY)
COURT MASTER (SH)

(KAMLESH RAWAT)
COURT MASTER (NSH)