

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

(1. Issue related to LA-RESIDENTIA PROJECT; 2. Issue related to recovery from M/s ACE Infracity; 3. Recovery of Lease Rentals from attached properties; 4. Funding by Banks; 5. Issue related to Surekha Family; 6. Issue related to Recovery of Rs.912.72 Crores from Directors CFO Chander Wadhwa; 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;

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 : 08-02-2021 These matters were called on for hearing today.

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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.: LA-RESIDENTIA PROJECT

[I.A.No.109882 of 2020 (Vol. No.Z-309 & Vol. No.R-103); I.A No.168186 of 2018 (Vol. No.Z-68); I.A. No.114865 (Vol. No.Z-318); I.A. No.123299 of 2020 (Vol.I-158); I.A. No.6397 of 2021 (Vol.Z-342); Documents Vol. No.R-103, R-142, R-153, R-156, and, R-157]

We have heard Mr. Gopal Sankaranarayanan, learned Senior Advocate, Mr. M.L. Lahoty, Mr. Manoj V. George, and Mr. Janender Kumar Chumbak, learned Advocates for the applicants as well as Mr. V. Giri, learned Senior Advocate for the La-Residentia Project.

Arguments concluded.

Order reserved.

PART-II

I.A. No.115285 OF 2020; and, Document Vol. No.R-154

Response to I.A. No.115285 of 2020 (Vol. No.I-151) has been filed on behalf of State of Uttar Pradesh (Vol. No.R-154), which states *inter alia* that in certain matters, investigation is complete and charge-sheets have been filed while in some other matters, charge-sheets are ready to be filed.

Mr. Manoj Singh, learned Advocate appearing for the Amrapali Group of Companies has invited our attention to the order dated 10.07.2020 whereunder I.A. No.60324 of 2020 (Vol. No.I-116) was dealt with and investigation into all the offences was directed to be handed over to the Economic Offences Wing (EOW).

List this matter for consideration as the First Item on 15.02.2021.

In the meantime, Mr. Manoj Singh shall file copy of the application (Vol.I-116) for perusal of this Court.

PART-III

I.A. No.12103 OF 2021 (Vol.I-163)

This application has been filed on behalf of M/s. Mahagun Real Estate Pvt. Ltd. seeking certain directions.

List this matter on 15.02.2021 as the Second Item.

PART-IV

Re: I.A. No.108696/2020 (Vol. No.I-147) and I.A. No.108670/2020 (Vol. No.I-148) - Applications by Greater NOIDA Authority for Recalling of Court's Orders dated 10.06.2020, 19.08.2020 and 25.08.2020

List these applications on 15.02.2021.

PART-V

- A. **Re.: RECOVERY OF Rs.912.72 CRORES FROM DIRECTORS, CFO CHANDER WADHWA & OTHERS**
- B. **Re.: RECOVERY OF Rs.7.23 CRORES FROM M/s. ACE INFRACTION DEVELOPERS PVT. LTD.**
- C. **Re.: RECOVERY OF LEASE RENTALS FROM ATTACHED PROPERTIES**
- D. **Re: FUNDING BY BANKS**

These issues shall be taken up on 01.03.2021.

PART-VI

Re.: SUREKHA FAMILY

This matter shall be taken up on 22.02.2021.

PART-VII

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

Note dated 08.02.2021 submitted by Mr. M.L. Lahoty, learned Advocate, shall be taken up on 22.02.2021.

PART-VIII

All the remaining Interlocutory Applications on Board are adjourned to 01.03.2021.

(MUKESH NASA)
COURT MASTER

(PRADEEP KUMAR)
BRANCH OFFICER