

ITEM NOS.301

COURT NO.5

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

BIKRAM CHATTERJI & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 6608/2018 - CLARIFICATION/DIRECTION IA No. 125860/2018 - CLARIFICATION/DIRECTION IA No. 140746/2018 - CLARIFICATION/DIRECTION IA No. 96889/2018 - CLARIFICATION/DIRECTION IA No. 138861/2018 - CLARIFICATION/DIRECTION IA No. 95273/2018 - CLARIFICATION/DIRECTION IA No. 138856/2018 - CLARIFICATION/DIRECTION IA No. 55922/2018 - CLARIFICATION/DIRECTION IA No. 137609/2018 - CLARIFICATION/DIRECTION IA No. 51806/2018 - CLARIFICATION/DIRECTION IA No. 137605/2018 - CLARIFICATION/DIRECTION IA No. 152091/2018 - CLARIFICATION/DIRECTION IA No. 130673/2018 - CLARIFICATION/DIRECTION IA No. 146057/2018 - CLARIFICATION/DIRECTION IA No. 128852/2018 - EXEMPTION FROM FILING O.T. 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 IA No. 6855/2018 - IA FOR GRANTING PERMISSION TO ACCESS THE PORTAL FACILITY IA No. 168186/2018 - INTERVENTION APPLICATION IA No. 154433/2018 - INTERVENTION APPLICATION IA No. 169415/2018 - INTERVENTION/IMPLEADMENT IA No. 135446/2018 - MODIFICATION IA No. 169613/2018 - MODIFICATION OF COURT ORDER IA No. 140269/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION IA No. 50374/2018 - VACATING STAY IA No. 143227/2018 - WITHDRAWAL OF CASE / APPLICATION)

WITH

W.P.(C) No. 947/2017 (X)
 (FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 100453/2017
 FOR CLARIFICATION/DIRECTION ON IA 6312/2018)

W.P.(C) No. 971/2017 (X)
 (FOR CLARIFICATION/DIRECTION ON IA 102714/2017)

W.P.(C) No. 942/2017 (PIL-W)
 (FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 100082/2017
 FOR CLARIFICATION/DIRECTION ON IA 7366/2018
 FOR CLARIFICATION/DIRECTION ON IA 35933/2018
 FOR INTERVENTION/IMPLEADMENT ON IA 37155/2018
 FOR [I/A ON BEHALF OF RESP. NO 13 SEEKING PERMISSION TO PURSUE
 COMPANY APPLI. NO. 17(P.B) OF 2018 AND] ON IA 41987/2018)

W.P.(C) No. 1041/2017 (X)
(FOR ON IA 109963/2017
FOR CLARIFICATION/DIRECTION ON IA 25742/2018
FOR CLARIFICATION/DIRECTION ON IA 35467/2018
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 60314/2018
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 64019/2018)

W.P.(C) No. 1018/2017 (X)
(FOR CLARIFICATION/DIRECTION ON IA 124195/2017
FOR CLARIFICATION/DIRECTION ON IA 7355/2018,
IA No. 124195/2017 - CLARIFICATION/DIRECTION)

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

W.P.(C) No. 1144/2017 (X)
(IA FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 124701/2017)

W.P.(C) No. 1156/2017 (X)
(FOR CLARIFICATION/DIRECTION ON IA 36571/2018
FOR impleading party ON IA 64349/2018
FOR INTERVENTION/IMPLEADMENT ON IA 64349/2018)

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

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)
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 25842/2018)

W.P.(C) No. 91/2018 (X)

W.P.(C) No. 56/2018 (X)

W.P.(C) No. 57/2018 (X)
(FOR CLARIFICATION/DIRECTION ON IA 64604/2018)

W.P.(C) No. 74/2018 (X)

W.P.(C) No. 134/2018 (X)
(IA FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 27092/2018)

W.P.(C) No. 131/2018 (X)
(IA FOR [APPLICATION FOR STAY/DIRECTIONS] ON IA 25109/2018,)

W.P.(C) No. 160/2018 (X)
(FOR [PERM TO FILE SUBSEQUENT EVENTS ON RECORD] ON IA 56300/2018)

W.P.(C) No. 164/2018 (X)

W.P.(C) No. 182/2018 (X)

W.P.(C) No. 199/2018 (X)

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

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

W.P.(C) No. 281/2018 (X)
(IA FOR STAY APPLICATION ON IA 48296/2018)

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

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

W.P.(C) No. 246/2018 (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)
(FOR ADMISSION and IA No.57585/2018-STAY APPLICATION)

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

W.P.(C) No. 742/2018 (X)
(FOR ADMISSION)

W.P.(C) No. 829/2018 (X)
(WITH APPLN(S) FOR GRANT OF INTERIM RELIEF)

W.P.(C) No. 866/2018 (X)
(WITH APPLN(S) FOR EXEMPTION FROM FILING O.T.)

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

W.P. (C) NO.1397/2018
(WITH APPLN(S) FOR EXEMPTION FROM FILING O.T.)

Date : 25-01-2019 These matters were called on for hearing today.

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

The learned counsel for the parties shall address this Court on the next date on the following issues in the matter :-

- i) As to suo moto proceedings of contempt of court;
- ii) Action to be taken in the matter or against M/s J.P. Morgan and Mr. Chander Wadhwa etc.;
- iii) Question of sale of the unsold inventory in various projects and its extent;

iv) The stage of DRT proceedings with respect to the auction of the property. A report be called for from DRT.

v) The construction of the flats which has been completed and possession is ready to be handed over and in certain projects, people are residing for years together. Whether it is open to direct the execution of the conveyance deed in favour of buyer and if permissible, on what terms and conditions?

The learned counsel appearing on behalf of NBCC, on instruction, has submitted that they are ready to start the work in Eden Park and Castle Projects. Their financial outlay is supposed to be Rs. 5.04 Crores and Rs. 2.46 Crores respectively. 10% charges is proposed to be realised by NBCC. Let NBCC start the work and also inform this Court whether it is possible for them, in the facts and circumstances of the case, to reduce the charges from 10%. They are free to start the work as tenders have been issued in the aforesaid projects.

On the next date of hearing, the other terms and conditions may be placed on record inter alia with respect to other projects also.

Let Forensic Auditors also submit a joint proposal in terms of the observations made to them on the last date of hearing and suggestions point wise for realisation of the funds on the basis of the forensic audit done by them so far.

Let written submissions be filed by the parties with respect to the above aspects before the next date of hearing. The Registry is directed to accept the same.

List on 11.02.2019 after the normal work in misc. matters of
Regular Bench is over.

(JAYANT KUMAR ARORA)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER