

ITEM NO.10

COURT NO.1

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No. 10851/2016

ARVIND KUMAR GUPTA

Appellant

VERSUS

UNITECH LTD. & ORS.

Respondents

WITH

C.A. No. 10856/2016 (XVII)

C.A. No. 2511-2526/2017 (XVII)

(IA No.66938/2017-EXTENSION OF TIME and IA No.90673/2017-EXTENSION OF TIME)

C.A. No. 5174-5181/2017 (XVII)

(FOR CLARIFICATION/DIRECTION ON IA 53934/2017

C.A. No. 9391-9404/2017 (XVII)

(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 60512/2017, FOR impleading party ON IA 98431/2017 and FOR INTERVENTION/IMPLEADMENT ON IA 98431/2017)

C.A. No. 15493/2017 (XVII)

(IA No.77581/2017-CONDONATION OF DELAY IN FILING and IA No.77582/2017-CLARIFICATION/DIRECTION and IA No.78654/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS and IA No.82788/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

SLP(Cr1) No. 5978-5979/2017 (II-C)

(Only IA No.135533/2017-impleading party and IA No.135534/2017-CLARIFICATION/DIRECTION and IA No.137520/2017-INTERVENTION APPLICATION and IA No.137522/2017-CLARIFICATION/DIRECTION and IA No.137526/2017-INTERVENTION APPLICATION and IA No.137527/2017-CLARIFICATION/DIRECTION and IA No.137531/2017-INTERVENTION APPLICATION and IA No.137532/2017-CLARIFICATION/DIRECTION and IA No.137538/2017-INTERVENTION APPLICATION and IA No.137540/2017-CLARIFICATION/DIRECTION and IA No.137544/2017-INTERVENTION APPLICATION and IA No.137547/2017-CLARIFICATION/DIRECTION and IA No.138307/2017-INTERVENTION APPLICATION and IA No.138358/2017-INTERVENTION APPLICATION and IA No.138367/2017-INTERVENTION APPLICATION and IA No.138368/2017-PERMISSION TO FILE APPLICATION FOR DIRECTION and IA No.138372/2017-INTERVENTION APPLICATION and IA No.138388/2017-INTERVENTION APPLICATION, FOR PERMISSION TO FILE SLP WITHOUT CERTIFIED/PLAIN COPY OF IMPUGNED ORDER ON IA 73472/2017, FOR APPLICATION FOR EXEMPTION FROM FILING CERTIFIED AS WELL AS ORDINARY PLAIN COPY OF THE IMPUGNED ORDER ON IA 73474/2017, FOR CLARIFICATION/DIRECTION ON IA 86305/2017

FOR INTERVENTION/IMPLEADMENT ON IA 87309/2017

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 87314/2017

FOR INTERVENTION APPLICATION ON IA 89941/2017

FOR INTERVENTION APPLICATION ON IA 90004/2017

FOR INTERVENTION APPLICATION ON IA 90008/2017  
FOR INTERVENTION APPLICATION ON IA 90011/2017  
FOR INTERVENTION APPLICATION ON IA 90014/2017  
FOR INTERVENTION APPLICATION ON IA 90019/2017  
FOR INTERVENTION APPLICATION ON IA 90023/2017  
FOR INTERVENTION APPLICATION ON IA 90395/2017  
FOR INTERVENTION APPLICATION ON IA 90400/2017  
FOR INTERVENTION APPLICATION ON IA 90575/2017  
FOR INTERVENTION APPLICATION ON IA 90581/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 90659/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 90697/2017  
FOR INTERVENTION APPLICATION ON IA 90743/2017  
FOR INTERVENTION APPLICATION ON IA 90747/2017  
FOR INTERVENTION APPLICATION ON IA 90799/2017  
FOR INTERVENTION APPLICATION ON IA 90823/2017  
FOR INTERVENTION APPLICATION ON IA 90881/2017  
FOR INTERVENTION APPLICATION ON IA 90999/2017  
FOR CLARIFICATION/DIRECTION ON IA 91001/2017  
FOR INTERVENTION APPLICATION ON IA 91041/2017  
FOR INTERVENTION APPLICATION ON IA 91242/2017  
FOR INTERVENTION APPLICATION ON IA 91502/2017  
FOR INTERVENTION APPLICATION ON IA 91653/2017  
FOR INTERVENTION APPLICATION ON IA 91658/2017  
FOR INTERVENTION APPLICATION ON IA 91667/2017  
FOR INTERVENTION APPLICATION ON IA 91672/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 91692/2017  
FOR INTERVENTION APPLICATION ON IA 91730/2017  
FOR INTERVENTION APPLICATION ON IA 91737/2017  
FOR INTERVENTION APPLICATION ON IA 91743/2017  
FOR INTERVENTION APPLICATION ON IA 91751/2017  
FOR INTERVENTION APPLICATION ON IA 91915/2017  
FOR INTERVENTION APPLICATION ON IA 91918/2017  
FOR INTERVENTION APPLICATION ON IA 91929/2017  
FOR INTERVENTION APPLICATION ON IA 91934/2017  
FOR INTERVENTION APPLICATION ON IA 91960/2017  
FOR INTERVENTION APPLICATION ON IA 91988/2017  
FOR INTERVENTION APPLICATION ON IA 92123/2017  
FOR INTERVENTION APPLICATION ON IA 93209/2017  
FOR INTERVENTION APPLICATION ON IA 94872/2017  
FOR INTERVENTION APPLICATION ON IA 95331/2017  
FOR INTERVENTION APPLICATION ON IA 95334/2017  
FOR INTERVENTION APPLICATION ON IA 95374/2017  
FOR INTERVENTION APPLICATION ON IA 95378/2017  
FOR INTERVENTION APPLICATION ON IA 98385/2017  
FOR INTERVENTION APPLICATION ON IA 98390/2017  
FOR INTERVENTION APPLICATION ON IA 98587/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 98660/2017  
FOR INTERVENTION APPLICATION ON IA 99968/2017  
FOR INTERVENTION APPLICATION ON IA 100788/2017  
FOR INTERVENTION APPLICATION ON IA 101725/2017  
FOR INTERVENTION APPLICATION ON IA 101728/2017  
FOR INTERVENTION APPLICATION ON IA 103667/2017

FOR INTERVENTION APPLICATION ON IA 103791/2017  
FOR INTERVENTION APPLICATION ON IA 103799/2017  
FOR INTERVENTION APPLICATION ON IA 104384/2017  
FOR INTERVENTION APPLICATION ON IA 105185/2017  
FOR INTERVENTION APPLICATION ON IA 105189/2017  
FOR INTERVENTION APPLICATION ON IA 105291/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 105437/2017  
FOR INTERVENTION APPLICATION ON IA 105588/2017  
FOR INTERVENTION APPLICATION ON IA 105601/2017  
FOR INTERVENTION APPLICATION ON IA 105616/2017  
FOR INTERVENTION APPLICATION ON IA 105632/2017  
FOR INTERVENTION APPLICATION ON IA 105646/2017  
FOR INTERVENTION APPLICATION ON IA 105657/2017  
FOR INTERVENTION APPLICATION ON IA 105668/2017  
FOR INTERVENTION APPLICATION ON IA 105675/2017  
FOR INTERVENTION APPLICATION ON IA 106004/2017  
FOR INTERVENTION APPLICATION ON IA 106067/2017  
FOR INTERVENTION APPLICATION ON IA 106074/2017  
FOR INTERVENTION APPLICATION ON IA 106077/2017  
FOR INTERVENTION APPLICATION ON IA 106080/2017  
FOR INTERVENTION APPLICATION ON IA 106313/2017  
FOR INTERVENTION APPLICATION ON IA 106316/2017  
FOR INTERVENTION APPLICATION ON IA 106462/2017  
FOR INTERVENTION APPLICATION ON IA 106467/2017  
FOR INTERVENTION APPLICATION ON IA 106473/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 107191/2017  
FOR PERMISSION TO FILE APPLICATION FOR DIRECTION ON IA 107196/2017  
FOR INTERVENTION APPLICATION ON IA 107233/2017  
FOR INTERVENTION APPLICATION ON IA 107239/2017  
FOR INTERVENTION APPLICATION ON IA 107245/2017  
FOR INTERVENTION APPLICATION ON IA 107464/2017  
FOR INTERVENTION APPLICATION ON IA 108587/2017  
FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 108822/2017  
FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 108851/2017  
FOR INTERVENTION APPLICATION ON IA 109169/2017  
FOR INTERVENTION APPLICATION ON IA 109671/2017  
FOR INTERVENTION APPLICATION ON IA 109954/2017  
FOR INTERVENTION APPLICATION ON IA 110321/2017  
FOR INTERVENTION APPLICATION ON IA 110327/2017  
FOR INTERVENTION APPLICATION ON IA 110460/2017  
FOR INTERVENTION APPLICATION ON IA 110469/2017  
FOR INTERVENTION APPLICATION ON IA 110474/2017  
FOR INTERVENTION APPLICATION ON IA 110480/2017  
FOR INTERVENTION APPLICATION ON IA 110486/2017  
FOR CLARIFICATION/DIRECTION ON IA 110495/2017  
FOR INTERVENTION APPLICATION ON IA 110529/2017  
FOR INTERVENTION APPLICATION ON IA 112057/2017  
FOR INTERVENTION APPLICATION ON IA 112299/2017  
FOR INTERVENTION APPLICATION ON IA 112302/2017  
FOR CLARIFICATION/DIRECTION ON IA 115336/2017  
FOR INTERVENTION APPLICATION ON IA 115553/2017  
FOR INTERVENTION APPLICATION ON IA 118696/2017

FOR INTERVENTION APPLICATION ON IA 118816/2017  
FOR INTERVENTION APPLICATION ON IA 118820/2017  
FOR INTERVENTION APPLICATION ON IA 121640/2017  
FOR CLARIFICATION/DIRECTION ON IA 121642/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 122293/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 122885/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 123118/2017  
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 123121/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 123125/2017  
FOR CLARIFICATION/DIRECTION ON IA 123132/2017  
FOR INTERVENTION APPLICATION ON IA 128729/2017  
FOR INTERVENTION APPLICATION ON IA 128733/2017  
FOR INTERVENTION APPLICATION ON IA 128737/2017  
FOR INTERVENTION APPLICATION ON IA 129762/2017  
FOR INTERVENTION APPLICATION ON IA 129768/2017  
FOR INTERVENTION APPLICATION ON IA 130015/2017  
FOR INTERVENTION/IMPLEADMENT ON IA 133342/2017 and  
IA No.139531/2017-INTERVENTION APPLICATION and IA No.139538/2017-  
APPROPRIATE ORDERS/DIRECTIONS and IA No.139563/2017-INTERVENTION  
APPLICATION and IA No.139640/2017-INTERVENTION APPLICATION and IA  
No.139860/2017-INTERVENTION APPLICATION and IA No.139971/2017-  
impleading party and IA No.140009/2017-INTERVENTION APPLICATION and  
IA No.141166/2017-INTERVENTION APPLICATION and IA No.141261/2017-  
INTERVENTION APPLICATION and IA No.141461/2017-INTERVENTION  
APPLICATION and IA No.368/2018-CLARIFICATION/DIRECTION and IA  
No.373/2018-INTERVENTION APPLICATION and IA No.657/2018-  
INTERVENTION APPLICATION and IA No.814/2018-INTERVENTION  
APPLICATION and IA No.3435/2018-impleading party and IA  
No.4267/2018-INTERVENTION APPLICATION and IA No.4504/2018-  
PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS and IA No.4540/2018-  
APPLICATION FOR SUBSTITUTION and IA No.4543/2018-APPLICATION FOR  
SUBSTITUTION and IA No.7259/2018-INTERVENTION APPLICATION and IA  
No.9367/2018-INTERVENTION APPLICATION and IA No.11441/2018-  
INTERVENTION APPLICATION and IA No.12896/2018-impleading party and  
IA No.13046/2018-SEEKING CUSTODY CERTIFICATE and IA No.13047/2018-  
CLARIFICATION/DIRECTION and IA No.13348/2018-INTERVENTION  
APPLICATION and IA No.13745/2018-INTERVENTION APPLICATION)  
SLP(C) No. 30997/2017 (XVII)  
(FOR ADMISSION and I.R.)

Date : 29-01-2018 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

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Mr. Davesh Vashishtha, Adv.  
Mr. Syed Asif Iqbal, Adv.

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Mr. Chandan Kr. Mandal, Adv.  
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Mr. Karunesh Kumar Shukla, Adv.

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Mr. Rajeev Singh, Adv.  
Mr. Prakash Kr. Singh, Adv.

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Mr. Deepak Goel, AOR  
Mr. E.C. Agrawala, AOR

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Mr. Manjit Singh, Adv.  
Mr. A. Rein, Adv.

Mr. Partha Sil, Adv.  
Mr. Tavish B. Prasad, Adv.

Ms. Vanshaja Shukla, Adv.

Mr. Aneesh Mittal, Adv.  
Mr. Gaurav T., Adv.

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

It is submitted by Mr. Mukul Rohatgi, learned senior counsel appearing for the petitioners in SLP(Cr1.) Nos. 5978-5979/2017 that the directors of M/s. Unitech Ltd. have negotiated with the company, namely, M/s. Omshakthy Agencies (Madras) Private Limited, having its registered and corporate office at Omshakthy Tower-II, TS-65, SIDCO Industrial Estate, Ekkattuthangal, Chennai - 600 032, in respect of the property, the value of which is approximately Rs.400 crores.

In view of the aforesaid, the Registry is directed to issue notice to the said company by registered post with acknowledgement due, as well as, by e-mail, asking the competent authority of the said

company to appear before this Court on 16.2.2018. If the company is desirous of purchasing the property on the value indicated by the learned senior counsel, it can bring a demand draft in the name of "The Registrar, Supreme Court of India", so that further directions can be issued.

The home buyers, who are interested in taking possession of the flats on "as is where is" basis, can intimate Mr. Pawanshree Agrawal, learned amicus curiae in the matter.

(Deepak Guglani)  
Court Master

(H.S. Parasher)  
Assistant Registrar