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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. No...../2021

IN

1

Civil Appeal No. 13301/2015

IN THE MATTER OF:

SUBRATA BHATTACHARYA APPELLANT

Versus

SECURITIES & EXCHANGE BOARD OF INDIA

....RESPONDENT

IN THE MATTER OF:

RIZ UNITED INFRATEC PVT. LTD.

(Through authorized representative)

... INTERVENOR/APPLICANT

1. RIZ UNITED INFRATEC PVT. LTD.

Through Authorized Representative

Mrs. Arfeen Zeeshan Shaikh

Registered office:

A-2008, Shri Swami, Samartha Deep Building,

Indra Darshan Phase (3), Oshiwara, Andheri (W),

Mumbai- 400053

...INTERVENOR/APPLICANT

**AN APPLICATION ON BEHALF OF THE APPLICANT
COMPANY SEEKING INTERVENTION IN THE PRESENT
CIVIL APPEAL**

TO,

THE HON'BLE THE CHIEF JUSTICE OF INDIA AND
HIS COMPANION JUDGES OF THE SUPREME COURT
OF INDIA

THE SPECIAL LEAVE PETITION
OF THE PETITIONER ABOVE
NAMED

MOST RESPECTFULLY SHOWETH: -

1. That the intervenor/Applicant is a Company duly registered under the Companies Act, 1956 and now regulated under the Companies Act, 2013. The Applicant/Intervenor Company is being represented by Mrs. Arfeen Zeeshan Shaikh who is authorized to represent by board resolution dated 04.03.2021. The copy of the Board resolution dt. 04.03.2021 authorizing Mrs. Arfeen Zeeshan Shaikh to represent Applicant Company before this Hon'ble Court is annexed as **Annexure No. I- 1.Pg8**

2. The abovementioned SLP/Civil Appeal was filed by Subrata Bhattacharya i.e., Appellant, for interim arrangement and SEBI i.e., Respondent was directed by this Hon'ble Court to constitute a committee under the chairmanship of Hon'ble Justice R.M. Lodha, the former Chief Justice of India, for disposing of the lands purchased by the Company of the Appellant, through selling the land to pay the investors, in consultation with SEBI/Respondent.
3. That vide order dt. 23.02.2018, this Hon'ble Court directed the sale of property to be conducted under supervision & in terms of the report of Justice Lodha committee.
4. That a Public notice dt. 19.08.2019 was issued for the total properties 28,974 and later on a revised notice was also issued.
5. That the intervenor Company had submitted its offer (EOI) in lieu of the above said public notice dt. 19.08.2019. It is pertinent to mention herein that the Intervenor Company had also received the email of the action report from the said Committee.
6. However, in lieu of the order of this Hon'ble Court, another public notice dt. 06.02.2020 was issued for total properties 27,133 with an overriding effect on the previous public notice dt. 19.08.2019.

7. That in lieu of the same, the Intervenor Company had submitted its offer/EOI and the same was taken on record as per the various action reports issued by SEBI/Respondent time & again.
8. That in furtherance of the same, the various other bidders had also submitted the offers and the various action taken reports were issued by the SEBI/Respondent time to time. It is pertinent to mention herein that the Intervenor Company and other bidders, time & again kept submitting revised/additional offers and the Respondent, i.e., SEBI took all such revised offers on record.
9. That the Intervenor Company is the only bidder, which is fulfilling all the terms & conditions of the Public Notice dt. 06.02.2020 and no other bidder is complying the minimum standards/terms of the said public notice.
10. That the Intervenor Company has invested a huge amount and also included many investors for purchasing the said land/plots of PACL. Since, there is a huge delay in finalising the offer, all the investors losing interest in the said process.
11. It is pertinent to mention here that the Intervenor Company had submitted a representation dt. 29.01.2021 to the Ld. Committee for the decision and expediting the process, however, no reply

has been given/received till date and thus, the Intervenor Company is seeking indulgence of this Hon'ble Court for allowing this Application.

12. In addition to the above, the applicant's presence in the present matter is all the more required considering the abovementioned facts.
13. That the present application at the instance of the applicant is only with the view to secure their interests granted in terms of the Public notice dt. 06.02.2020. In case the present application is not allowed, serious prejudice would be suffered by the applicant Company.
14. That the present application is bona fide and filed in the interest of justice.

PRAYER

It is therefore prayed that this Hon'ble Court may graciously be pleased to

- A) Allow the application and permit the applicant to intervene in the present Civil Appeal.

B) Pass any other order or directions as this Hon'ble Court deems fit and proper.

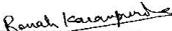
AND FOR THIS ACT OF KINDNESS THE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY.

Drawn by

Rishi Kapoor

Ashish Pandey

Filed By


RONAK-KARANPURIA
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Ronak Karanpuria

Advocate on Record

Drawn on: 09.04.2021

Filed on: 15.04.2021

IN THE HON'BLE SUPREME COURT OF INDIA

IA No. _____ OF 2021

IN

CIVIL APPEAL NO. 013301 OF 2015

IN THE MATTER OF:

SUBRATA BHATTACHARYA ... APPELLANTS

Versus

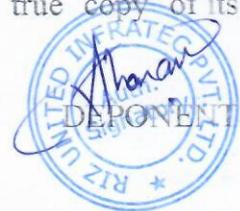
SECURITIES AND EXCHANGE BOARD OF INDIA & Ors.

...RESPONDENTS

AFFIDAVIT

I, Mrs. Arfeen Zeeshan Sheikh, Director & Authorised Representative of M/s Riz United Infratec Pvt. Ltd., aged about 29 years, office at A-2008, Shri Swami Samartha Deep Building, Indra Darshan Phase (3), Oshiwara, Andheri (W), Mumbai, do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the aforementioned matter and fully conversant with the facts and circumstances of the case, hence competent to swear this affidavit.
2. That I have read and understood the contents of the accompanying IA being filed in Civil Appeal No. 013301 of 2015, and I state that the averments made therein are true to the best of my knowledge and belief and nothing material has been concealed therefore.
3. That the annexures annexed to this IA are true copy of its respective originals.



VERIFICATION:

Verified at _____ on this the 9th day of April, 2021 that the contents of the above affidavit from paras 1 to 3 are true and correct to the best of my knowledge and belief nothing material has been concealed therefrom.



RIZ UNITED INFRATEC PVT. LTD.

E: arf_110313@yahoo.com / Mob: 9619384169

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Annexure I/1

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING OF THE BOARD OF DIRECTORS OF RIZ-UNITED INFRATEC PRIVATE LIMITED HELD ON 04TH MARCH, 2021 AT THE REGISTERED OFFICE OF THE COMPANY AT A-2008, SWAMI SAMARTH DEEP BUILDING, INDRA DARSHAN PHASE (3), OSHIWARA, ANDHERI (WEST), MUMBAI - 400053.

TO CONSIDER AND GIVE AUTHORIZATION TO FILE IA/APPLICATION/CASES BEFORE HONBLE SUPREME COURT OF INDIA AND OTHER COURTS

"RESOLVED THAT the consent of the Directors of the Company be and is hereby accorded to authorize Mrs. Arfeen Zeeshan Shaikh as Director of the company Riz-United Infratec Private Limited to file application/SIp/IA in Court of Law".

"FURTHER RESOLVED THAT Mrs. Arfeen Zeeshan Shaikh is also authorised to sign verify, affirm and/or present, plaints, complaints, written statements, written objections, replies, affidavits, application objections, petitions appeals, cross appeals and counter claims and such other pleadings and documents as may be required to appear before the said courts and/or authorities and to engage, appoint, retain and remove counsels, advocates, solicitors and attorneys to sign Vakalatnama or other document for such appointments and to generally do all such acts, deeds and things as may be deemed necessary or expedient for the aforesaid purposes".

"ALSO RESOLVED THAT a certified copy of the foregoing resolution be furnished to such court/person/entity/authority etc. as may be considered necessary & as may be required, under the signature of any one Director of the company".

CERTIFIED TRUE COPY

For Riz-United Infratec Pvt. Ltd.

Reshma Begam

Reshma Begam Moizuddin Khan
Director
DIN :- 06766741



A-2008, Shri Swami Samartha Deep Building, Indra Darshan Phase (3),
Oshiwara, Andheri (W), Mumbai - 400053.

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....RESPONDENT

IN THE MATTER OF:

RIZ UNITED INFRATEC PVT. LTD.

(Through authorized representative)

... INTERVENOR/APPLICANT

**AN APPLICATION FOR EXEMPTION FROM FILING
ORIGINAL SIGNED AFFIDAVIT**

TO,

THE HON'BLE THE CHIEF JUSTICE OF INDIA
AND HIS COMPANION JUSTICES OF THE
HON'BLE SUPREME COURT OF INDIA

THE HUMBLE PETITION ON BEHALF OF
THE PETITIONERS ABOVE NAMED

MOST RESPECTFULLY SHOWETH:-

1. That the intervenor/Applicant is a Company duly registered under the Companies Act, 1956 and now regulated under the Companies Act, 2013. The Applicant/Intervenor Company is being represented by Mrs. Arfeen Zeeshan Shaikh who is authorized to represent by board resolution dated 04.03.2021.
2. That the intervenor/Applicant has stated the facts of the case and the grounds arising there-from in the accompanying Application and the same may be treated as part and parcel of this Application.
3. That the photocopy of Affidavit has been attached with the accompanying Application by the intervenor/Applicant as the original is lying with the intervenor/Applicant and the same could not be filed due to COVID 19 situation. The intervenor/Applicant respectfully prays that he may kindly be exempted in the interests of justice from filing the original signed Affidavit.
4. That the present application is being made bona fide in the interest of justice.

P R A Y E R

In the above premises, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- a) Exempt the intervenor/Applicant herein from filing original signed Affidavit in the above-mentioned matter.
- b) pass any other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the present case.

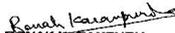
AND FOR THE ACT OF KINDNESS THE HUMBLE
PETITIONER BEING DUTY BOUND, SHALL EVER PRAY.

Drawn by

Rishi Kapoor
Ashish Pandey

Filed on: 15.04.2021

Filed By


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Ronak Karanpuria
Advocate on Record