ITEM NO.301 COURT NO.9 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(s).13301/2015

SUBRATA BHATTACHARYA Appellant(s)

VERSUS

SECURITIES AND EXCHANGE BOARD OF INDIA & ORS. Respondent(s)

[ONLY I.A. NOs. 105681/2019, 33482/2022, 150831/2023 IN C.A. NO. 13301/2015, I.A. NO.149875/2024 IN CA. NO. 13394/2015, I.A NO. 223674/2024, IA. NO. 223675/2024 IN T.C. (CRL) NO. 2/2016, AND SLP (CRL) NO. 7133/2024, SLP(CRL) NO. 5913/2024 ARE LISTED].

(IA No. 150831/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 33482/2022 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 105681/2019 - APPROPRIATE ORDERS/DIRECTIONS)

WITH

C.A. No. 13394/2015 (XVII)

(IA No. 149875/2024 – CLARIFICATION/DIRECTION)

T.C.(Crl.) No. 2/2016 (II-C)

(IA No. 223675/2024 - EXEMPTION FROM FILING O.T. and IA No. 223674/2024 - GRANT OF BAIL)

SLP(Crl) No. 5913/2024 (II-C)

(IA No.101100/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.101099/2024-EXEMPTION FROM FILING O.T. and IA No.101098/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES)

SLP(Crl) No. 7133/2024 (II-C)

(IA No. 119217/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 02-04-2025 These matters were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE BELA M. TRIVEDI
HON'BLE MR. JUSTICE PANKAJ MITHAL

Signature Not Verified
Digitally signed by RAVI ARORA
Date: 2025.04.03 16:36:01 IST
Reason:

For Appellant(s) : Mr. Anup Kumar, AOR

Mr. Colonel R.Balasubramanian, Sr. Adv.
Mr. P. Soma Sundaram, AOR

Mr. S. Nagamuthu, Sr. Adv.
Mr. M.P. Parthiban, AOR

Mr. Ayush Sharma, AOR

Mr. Siddharth Aggarwal, Sr. Adv.
Mr. Wajeeh Shafiq, AOR

For Respondent(s) : Ms. Aishwarya Bhati, A.S.G. [Not Present]
Ms. Swarupma Chaturvedi, Sr. Adv.
Mr. Raj Bahadur Yadav, AOR

Mr. Ritesh Agrawal, AOR
Mrs. Rachana Joshi Issar, AOR
Mr. Prashant Bhushan, AOR
Mr. Somiran Sharma, AOR
Mr. Aditya Singh, AOR

Mr. Vinay Navare, Sr. Adv.
Mr. Siddharth Bhatnagar, Sr. Adv.
Mr. Aviral Kashyap, AOR

Mr. Vinod Sharma, AOR

Ms. Kamakshi S. Mehlwal, AOR
Mr. Abhik Kumar, Adv.

Mr. Rajiv Ranjan Dwivedi, AOR
Mr. Vishal, Adv.

Mr. Shantanu Kumar, AOR

Mr. Pratap Venugopal, Sr. Adv.
M/S. K J John And Co, AOR
Ms. Surekha Raman, Adv.

Mrs. Aishwarya Bhati, A.S.G. [Not Present]
Mr. Mukesh Kumar Maroria, AOR
Mr. Sanjay Kumar Tyagi, Adv.

Ms. Hetu Arora Sethi, AOR
Ms. Shalu Sharma, AOR
Mr. D. L. Chidananda, AOR
Ms. Farhat Jahan Rehmani, AOR
Mr. Anjani Kumar Mishra, AOR
Mr. Yadav Narender Singh, AOR
M/S. Vachher And Agrud, AOR
Mr. Surya Kant, AOR

Mr. Debojit Borkakati, AOR

Mr. Anshuman Srivastava, AOR

Mr. Rajiv Kumar Sinha, AOR

Mr. Gunjan Kumar, AOR

Ms. Anuradha Arputham, AOR
Mr. Ankit Sharma, Adv.

Ms. Sonam Gupta, AOR

Ms. Jasmine Damkewala, AOR
Ms. Vaishali Sharma, Adv.

Mr. Atishi Dipankar, AOR
Mr. Arunava Mukherjee, AOR
Mr. Gaurav Goel, AOR
Ms. Anisha Upadhyay, AOR
Mr. Shakti Kanta Pattanaik, AOR

Mr. Venkatesh Rajput, Adv.
Mr. Subhro Sanyal, AOR

Mr. R. Ayyam Perumal, AOR
Mr. A. Renganath, Adv.

Ms. S. Ramamani, AOR
Mr. Anil Nag, AOR
Mr. Tarun Gupta, AOR

Mr. Rajeev Kumar Bansal, AOR
Mr. Arun Kumar Arunachal, Adv.

Mr. Avijit Mani Tripathi, AOR
Ms. Preeti Sehrawat, Adv.

Ms. Madhusmita Bora, AOR

Mr. Raj Kishor Choudhary, AOR
Ms. Pratibha Singh, Adv.

Ms. Varuna Bhanrale, Adv.
Mr. Syed Jafar Alam, AOR

Mr. Ishaan George, AOR
Mr. T. R. B. Sivakumar, AOR

Mr. C. K. Sasi, AOR
Ms. Meena K Poulose, Adv.

Mr. M.p. Srivignesh, Adv.
Mr. Manu Srinath, AOR

Mr. Ankit Yadav, AOR
Ms. Shaoni Das, Adv.

Mr. Arun K. Sinha, AOR
Mr. Shivendra Singh, AOR
Ms. Rooh-e-hina Dua, AOR
Mr. Abhinav Agrawal, AOR
Mr. A. Lakshminarayanan, AOR
Mr. Kunal Verma, AOR

Mr. C.r.jaya Sukin, Adv.
Mr. Narender Kumar Verma, AOR

Ms. Vidushi Garg, AOR
Mr. Sujit Kumar Mishra, AOR
Mr. Somanatha Padhan, AOR
Mr. Md. Shahid Anwar, AOR
Mr. Joel, AOR
Mr. Piyush Dwivedi, AOR
Mr. Gp. Capt. Karan Singh Bhati, AOR
Mr. Ankit Goel, AOR

Mr. Ishan Kapoor, Adv.
Mrs. Gargi Khanna, AOR

Mr. Arvind Kumar Sharma, AOR

Ms. Asmita Singh, AOR
Mr. Abheet Mangleek, Adv.

Mr. Parveen Kumar, AOR
Ms. Garima Jain, AOR
Mrs. Shubhangi Tuli, AOR
Mr. Tushar Bakshi, AOR
Mr. Shashibhushan P. Adgaonkar, AOR
Mr. Pai Amit, AOR
Mr. Abhay Pratap Singh, AOR
Mr. Ajay Pal, AOR
Mr. D. Mahesh Babu, AOR
Mr. Aditya Ranjan, AOR
Mr. Parijat Kishore, AOR
Mr. Shree Pal Singh, AOR
Ms. Amrita Kumari, AOR
Mr. P. S. Sudheer, AOR

Mr. Arjun Garg, AOR
Mr. Kriti Gupta, Adv.

Mr. Ravi Kumar Tomar, AOR
Mr. Jose Abraham, AOR
Ms. Pragati Neekhra, AOR
Mr. Balaji Srinivasan, AOR
M/S. V. Maheshwari & Co., AOR
Mr. Avadh Bihari Kaushik, AOR

Mr. Bhavik Lalan, Adv.

Mr. Surjendu Sankar Das, AOR

Mr. Ronak Karanpuria, AOR
Mr. D. K. Devesh, AOR

Mr. C.r.jaya Sukin, Adv.
Mr. Narender Kumar Verma, AOR

Mr. Rishi Matoliya, AOR
Mr. Nikhil Kumar Singh, Adv.

Ms. Pallavi Pratap, AOR

Mr. B Ragunath, Adv.
Mr. Vijay Kumar, AOR

Mrs. Aishwarya Bhati, A.S.G. [Not Present]
Mr. Rajan Kumar Chourasia, Adv.
Mr. Mukesh Kumar Maroria, AOR

Mr. Ashutosh Dubey, AOR
Ms. Christi Jain, AOR
Mr. Vikas Singh Jangra, AOR
Mr. Swetank Shantanu, AOR
Ms. Anne Mathew, AOR

Mr. Jayant Mohan, AOR
Ms. Adya Shree Dutta, Adv.

Mr. Vivek Jain, AOR
Mr. P. Soma Sundaram, AOR
Mr. C. Solomon, AOR

Ms. Ameyavikrama Thanvi, AOR

Mr. Gaurav Gupta, Adv.
Mr. Praveen Swarup, AOR

Mr. Hitesh Kumar Sharma, Adv.
Mr. Prakash Kumar Singh, AOR

Ms. Garima Bajaj, AOR
Mr. Ajay Kumar Singh, AOR
Mr. Dr. Rajeev Sharma, AOR
Mr. S. Gowthaman, AOR
Mr. Anshuman Srivastava, AOR
Ms. Tatini Basu, AOR
Mr. Ashish Yadav, AOR
M/S. Vimalpani & Co., AOR
Mr. Vikash Singh, AOR
Ms. Anuradha Mutatkar, AOR
Mr. Ashok Mathur, AOR

Mr. Nitin Mishra, AOR
Ms. Mitali Gupta, Adv.

M/S. Ksn & Co., AOR

Mr. Abhishek Saket, Adv.
Mr. Kumar Mihir, AOR

Mr. T. Mahipal, AOR
Mr. Sujoy Chatterjee, AOR
Ms. Tina Garg, AOR
Mr. Shubham Bhalla, AOR
Mr. Rajendra D. Anbhule, AOR
Ms. Pratibha Jain, AOR
Ms. Manju Jetley, AOR
Mr. Upendra Pratap Singh, AOR
Mr. Rameshwar Prasad Goyal, AOR
Mr. Tungesh, AOR

Mr. Saurabh Jain, Adv.
Mr. Kaushik Poddar, AOR

Krishnamohan K., AOR
Ms. Dania Nayyar, Adv.

Mr. Srisatya Mohanty, AOR
Samir Malik, AOR

Mr. Shubhranshu Padhi, AOR
Mr. Jay Nirupam, Adv.

Mr. Abhishek Singh, AOR
Mr. Dhananjay Baijal, AOR
Mr. Merusagar Samantaray, AOR

Mr. Harikesh Singh, Adv.
Mr. Satish Kumar, AOR

Mr. M. A. Chinnasamy, AOR
Mrs. C Rubavathi, Adv.

Mr. Yatin M. Jagtap, Adv.
Mr. Sunil Kumar Sharma, AOR

Mr. Shadan Farasat, Aag, Sr. Adv.
Ms. Nupur Kumar, AOR

M/S. Dharmaprabhas Law Associates, AOR
Mr. Sanket Sankrappa Ambali, Adv.

Mr. Guntur Pramod Kumar, AOR
Ms. Prerna Singh, Adv.

Mr. Mohit Paul, AOR

Mr. P. N. Puri, AOR
Mrs. Reeta Dewan Puri, Adv.

Ms. Mohini Priya, AOR
Ms. Manisha Ambwani, AOR
Mr. Abhinav S. Raghuvanshi, AOR

Mr. S. Prabu Ramasubramanian, Adv.
Mr. Raghunatha Sethupathy B, AOR

Mr. Satish Pandey, AOR
Mr. Akbar Ali, Adv.

Mr. Rakesh K. Sharma, AOR

Mr. Jaya Sukin, Adv.
Mr. Shashank Singh, AOR

Mr. Anil Kumar, AOR
Ms. Devina Sehgal, AOR
Mr. Ritesh Agrawal, AOR
Mr. Gopal Jha, AOR
Mr. Kedar Nath Tripathy, AOR

Mr. Neeraj Shekhar, AOR
Mrs. Kshama Sharma, Adv.

Mr. Kush Chaturvedi, AOR

Mr. T. Sundar Ramanathan, AOR
Mr. Krishan Singhal, Adv.

Mr. Nachiketa Joshi, A.A.G.
Mr. Sunny Choudhary, AOR

Mr. Ashish Yadav, AOR

Mr. S. Nagamuthu, Sr. Adv.
Mr. M.p. Parthiban, AOR

Mr. Gagan Gupta, Sr. Adv.
Mr. Aayushmaan Vatsyayana, AOR

Ms. Priya Aristotle, AOR
Mr. Mohit D. Ram, AOR
Mr. Soayib Qureshi, AOR
Ms. Usha Nandini V., AOR
Ms. Ranjeeta Rohatgi, AOR
Mrs. Geetha Kovilan, AOR
Mr. M. Yogesh Kanna, AOR
Mr. Sujit Kumar Mishra, AOR

Ms. Shisba Chawla, AOR

Mr. Puneet Singh Bindra, AOR

Mr. Akhileshwar Jha, Adv.
Mr. Ajay Pal, AOR

Mr. K. Parameshwar, Sr. Adv.
Mr. Anurag Ahluwalia, Adv.
Mr. Ashish Pandey, AOR

UPON hearing the counsel the Court made the following

O R D E R

I. Civil Appeal No(s).13301/2015

1. The Justice (Retd.) R.M. Lodha Committee has submitted the report dated 28.02.2025 alongwith the Due Diligence Audit Report in the matter of Pearl's Township Plot Holders' Welfare Association on behalf of the SEBI. However, on perusing the Report, it appears that there is no input given by the Committee on the said Due Diligence Reports of the Chartered Accountants, nor on the other material placed before it.

2. We, therefore, request the Justice (Retd.) R.M. Lodha Committee to submit a report after analysing the reports submitted by the Auditors and also considering the other material placed before it and propose the further course of action with regard to the Mohali and Bhatinda projects.

3. It is stated by the learned senior counsel, Mr. Venugopal that the applications filed by GMADA and by the respective two associations are already before the Justice (Retd.) R.M. Lodha Committee, and, therefore, the Committee may take into consideration the said applications as also the relevant laws while proposing the further course of action.

4. The affidavit dated 28.02.2025 alongwith the documents submitted on behalf of the SEBI filed in compliance of order dated

11.02.2025 are taken on record.

II. <u>IA No.105681/2019, IA No.33482/2022 & IA No.150831/2023 IN CIVIL APPEAL NO.13301 OF 2015 and I.A. NO.149875/2024 IN CA NO.13394/2015</u>

(a) <u>IA No.105681/2019, IA No.150831/2023 & IA No.149875/2024</u>

List on 22.04.2025.

(b) <u>IA No.33482/2022</u>

1. The application has been filed by the SEBI seeking direction to the CBI to inform the action taken on the issues referred by the Committee (detailed in para 5 of the application).

2. The CBI in its counter reply has stated inter alia that the complaints/references pertaining to the alleged unauthorised encroachment/illegal sale of properties of the Pearl's Group as received by the CBI from the Nodal Officer from the Secretary of Justice (Retd.) R.M. Lodha Committee, will be sent to the DCP of the States, under intimation to the Nodal Officer from the Secretary of the Committee and upon receipt of the Report from the States concerned, the same will be duly apprised to the Committee for necessary action.

3. The learned senior counsel, Mr. Venugopal states on instruction from the Nodal Officer that he has started receiving the copies marked to the Nodal Officer received by the CBI and, therefore, nothing remains to be done in the present I.A.

4. In view of the above, no further order is required to be passed in the instant I.A. and the same stands disposed of.

III. IA No. 223674/2024 IN T.C.(Crl.) No. 2/2016

1. The learned senior counsel, Mr. Siddharth Aggarwal states that as per the order passed by this Court on 11.02.2025, the petitioner – applicant had amended the cause title and included seven States as the party-respondents, however, the State of A.P., by mistake was impleaded twice instead of State of U.P.

2. He seeks permission to amend the same and undertakes to serve notice to the State of U.P., with copy of the application to be served to the Standing Counsel appearing for the State of U.P.

3. As per the Office Report dated 01.04.2025, rest of the six States have been duly served.

4. Let the notice be issued to the State of U.P., returnable after three weeks.

5. Additionally, liberty is granted to serve the copy of the application to the Standing Counsel for the State of U.P.

IV. SLP(Crl) No. 5913/2024

1. List on 22.04.2025.

2. Interim order to continue till the next date of hearing.

V. SLP(Crl) No. 7133/2024

1. List on 22.04.2025.

2. The learned counsel for the respondent seeks time to file counter affidavit.

3. Interim order to continue till the next date of hearing.

Further Order

List all the matters on 22.04.2025, at 02:00 p.m. before the same combination of Bench.

(RAVI ARORA)
COURT MASTER (SH)

(MAMTA RAWAT)
ASSISTANT REGISTRAR