ITEM NO.301 COURT NO.14 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)

((1) Report of SEBI 23.03.23,8.03.23,24.09.2021 (2) I.A.No.162187/2021(Direction) (3) (4) I.A.No.121435/2020 (Appropriate orders) (5) I.A. No.128401/2018(Direction) (6) (7) I.A.No.77018 /2019(Direction) (8) (9) I.A 33482/2022(Direction) (10) (11)I. A 1648/2023(Direction) (12)I.A 172105/2023(Direction) (13)I.A 92382/2024(Direction) (14)I.A.No.150831 and 150822/ 2023 (Direction and Intervention) (15)I.A.No.139204 and 139201/ 2021 (Direction and Intervention) (16) I.A. No.8789 and 8786/ 2022(Direction and Impleadment) (17) I.A.No.141063 and 141060 and 141065 / 2021(Application for seeking information and Intervention and Exemption from filing OT)) (18) (19) (20) (21) (22) (23) (24) (25)I.A No.121669/20,121665/20,91242/21(directionand exemption from filing notarized affidavit) (26)I.A No. 57408/22,57409/22,57410/22(impleadment and direction) (27)I.A.No.63060/2022,63059/2022 (Direction,Intervention) (28)I.A.No.143650/22,143520/22(impleadment and direction) (29)I.A.No.143660/22,143523/22(impleadment and direction) (30)I.A.No.143664/22,143526/22(impleadment and direction) (31)I.A.No.143668/22,143528/22(impleadment and direction) (32)I.A.No.143670/22,143531/22(impleadment and direction) (33)I.A.No.172560/22,172554/22,172555,172563 of 2022(impleadment and O.T) (34) I.A.No.179398/2022,179401/2022 (Direction and O.T) (35)I.A.Nos 140461/22,140458/22(Direction and impleadment) (36)I.A No.173498/22,173499/22(Impleadment and direction) (37)I.A.No.188933/2022,188924/2022 (Direction) (38)I.A.No.2937/2023,2923/23,2940/23 (Direction) (39)I.A.No.59348/2023,59170/23(Direction) (40) I.A No.34386/23 ,I.A No.34305/23 (Intervention and direction) (41)I.A No.34727/23, I.A No.34724/23 (Intervention and direction) (42)I.A No.34395/23 ,I.A No.34221/23(Intervention and direction) (43)I.A No.182121/23,I.A No.182119/23,182113/23 (direction,Impleadment and stay) (44)I.A No.265115/23,I.A No.265114/23,267773/23 (direction,Intervention) (45)I.A No.34346/24, 33927/24 (direction,Intervention) (46)I.A No.52109/24, 54396/24 (direction,Intervention) (47)I.A No.56561/24, 56560/24 (direction,Intervention) (48)I.A No.60895/24 (direction) (49)I.A No.74141/24, 74142/24 ,74135/24(direction,Exemption from O.t,Intervention) (50)I.A No.91725/24, 91726/24 (direction,Exemption from O.t) (51)I.A No.97069/24, 96857/24 (direction,Impleadment) (52)I.A No.15874/18 (direction) (53)

Signature Not Verified
Digitally signed by Nisha Tandon
Date: 2024.08.12 17:16:17 IST
Reason:

I.A.No.111263 2020,50741/23 (Direction) (54) (55) I.A.No.140630 / 2019(Direction) (56) I.A.No.59495/2021(Permission to file additional document) (57) I.A.No.105681 and 105676/2019,83060/24 (Direction and impleadment,additional documents) (58) I.A.No.136045 / 2021(Direction) (59)I.A. No.141601 / 2021(Application for placing on record additional objections) (60) I.A.No.107605/2019(Direction) (61) I.A.No.151743/2019(Direction) (62) I.A.No.151745/2019 (Direction) (63) I.A.No.147819/2019 (Exemption from filing O.T) (64) I.A.No.19984/2019(Direction) (65) I.A.No.66425/2019(Intervention) (66) I.A No.27507, 27531 and 27538/2021(Appropriate orders, Impleadment and Stay) (67) I.A.No. 3929 and 3931/2021(Direction and Exemption from OT (68) I.A. No. 48796 and 48787 /2021(Direction and impleadment) (69) I.A No.43459 and 43457/2021(Impleadment and Direction) (70) I.A.No.42490/2020 (Direction) (71) I.A.No. 50068 and 50070/2018(Direction and Stay) (72) I.A.No.72158/2021and 159563/22(Direction,Permission to file additional documents) (73) I.A.No.72161/2021 and 167567/22(Direction, Permission to file additional documents) (74) I.A.No.36898/2021(Direction) (75) I.A.No.133442/2020(Direction) (76) I.A.No.130695 and 130696/2020(Direction and Exemption) (77) I.A.No.124496/2020(Direction) (78) I.A.No.151756 and 151745/2019(Direction) (79) I.A. No.87577/2021(Direction) (80) I.A. No. 84559 and 84557 /2021(Direction and intervention) (81) I.A.No.35800, 35796 and 85496 of 2021(Direction, Impleadment and seeking permission to file additional document) (82) (83)I.A. No.47351 and 47346/2020(Direction and Impleadment) (84)I.A. No.75741, 75743 and 75745/2020(direction , Exemption from filing O.T and Exemtion from filing affidavit) (85)I.A.No.82617,27817,82611and 82613 of 2021(direction, intervention, permission to file addl. Docs and exemption from filing O.T.) (86)I.A.No.44407/2019 with 44406/2019,69058/24 (Direction and Impleadment,early hearing) (87)I.A.No.170318/2021and 170317 2021 (Direction and Intervention) (88) I.A.No.157285/2021 and157281/2021,131293/22(Direction and Impleadment) (89) I.A.No.115854/2021 and 115849 of 2021(Direction and Intervention) (90)I.A. No.142415/2021 (permission objection) (91) I.A. No158791/21and 158788/21,81691/23 (direction and impleadment,recall of the order dated27/3/23) (92) I.A.No.14163/2022,35536/22 (Direction,intrvention) (93) I.A.No.16307/22,35537/22, (direction and intervention) (94) I.A.No.29715, 29716,29709 and 29713/2022 (direction, Exemption from filing O.T , Impleadment and Exemption from filing O.T) (95)I.A.No. 49203/22 and 49205/22(intervention and Direction) (96) I.A.No.112168/22 (Direction) (97) I.A.No.131016/22, 131020/22, 131035/22 (Direction) (98) I.A.No.142496/22, 142492/22 (Direction and Intervention) (99) I.A.No. 148639/22, 148634/22 (Direction and Impleadment) (100) I.A.No.195264/22, 195260/22 (Direction and Intervention) (101)I.A.No.96055/22, 96052/22, 96056/22 (Direction,Exemption from o.t, Intervention) (102) I.A.No.65113/23 and 65105/2023 (Directionand exemption from o.t)) (103) I.A.No.106463/23, 106459/2023, 106466/23 (Direction,intervention and exemption from o.t) (104) I.A.No.108478/23, 108477/2023, 108479/23 (Direction,intervention,exemption from o.t)

(105)I.A.No.112247/23,112246/2023,112249/23(Direction,intervention ,exemption from o.t) (106)I.A.No.112362/23,112361/2023,112363/23(Direction,intervention, exemption from o.t) (107)I.A.No.112369/23,112368/2023, 112370/23(Direction,intervention,exemption from o.t) (108)I.A.No.112378/23,112376/2023,112379/23(Direction,intervention, exemption from o.t) (109)I.A.No.112383/23,112381/2023,112385/23(Direction,intervention, exemption from o.t) (110)I.A.No.116190/23,116188/2023(Direction,impleadment) (111)I.A.No.211365/23(Direction) (112)I.A.No.224709/23,224710/2023(Direction,o.t) (113)I.A.No.224755/23,101491/24(Direction,amendment) (114)I.A.No.116/24,117/24,119/24,122/24(Direction,intervention,ot,a dditonal documents) (115)I.A.No.316/24,319/24,315/24,318/24(Direction,intervention,ot,a dditional documents) (116)I.A.No.1481/24(Direction) (117)I.A.No.8399/24,8397/24,38389/24,38391/24(Direction,interventio n,ot,additional documents) (118) I.A.No.14699/24,14700/24,14701/24(Direction,ot,exemption from filing c/c) (119)I.A.No.14681/24,14683/24,14685/24(Direction,ot,exemption from filing c/c) (120)I.A.No.14692/24,14694/24,14697/24(Direction,ot,exemption from filing c/c) (121)I.A.No.25887/24,25883/24(Direction,intervention) (122)I.A.No.43892/24,43893/24(Direction,ot) (123)I.A.No.53400/24,53771/24(Direction,stay) (124)I.A.No.60237/24,60235/24,67241/24,67242/24,69351/24(Direction, o.t,exparte stay) (125)I.A.No.72775/24,72774/24,69351/24(Direction,ot,exparte stay) (126)I.A.No.77176/24,77248/24(Direction,impleadment) (127) I.A.No.43431/22, 43435/22, 46437/22, 47786/22, 47788/22, 47789/22, 47790/22, 77564/24, 77566/24, 92816/24, 92946/24, 92949/24, 92998/24, 92999/24, 93013/24, 93015/24, 93022/24, 93031/24, 93096/24, 93177/24, 93210/24, 93297/24, 93298/24, 93318/24, 93388/24, 93390/24, 93403/24, 93407/24, 93434/24, 93436/24, 93459/24, 93460/24, 93488/24, 93590/24, 93624/24, 93632/24, 93708/24, 93709/24, 93770/24, 93772/24, 93819/24, 93820/24, 94071/24, 94076/24, 94106/24, 94107/24, 94113/24, 94176/24, 94201/24, 94202/24, 94212/24(Direction) (128) I.A.No.3818/23, 33820/23, 76369/23, 76371/23, 76373/23, 92123/23, 115094/23 (Direction,Impleadment) (129) I.A.No.46708/21 (Direction) (130) I.A.No. 110705/2020 (Direction) (131) I.A.No. 44449/2021,37586/2021,72191/22,72192/22(Direction,impleadment) (132)I.A.No. 45857/2022(Intetvention) (133)I.A NO. 177894/22(intervention) (134) I.A.No. 95318/2023(Direction) (135) I.A.No. 143459/2023, 143449/23 (direction and impleadment) (136) I.A.No. 49621/2024, 49615/24(direction and Intetvention) (137)I.A.No. 125057/2024, 125051/24(direction and impleadment) (138)I.A.No. 47666/2020(Direction) (139) I.A.No.7718/2021(directions) (140) I.A.No.7715/2021(directions) (141)I.A.No.12341, 12337 and 75407/2020 (Direction,Intervention andpermission to file affidavit) (142) I.A. No.96289 and 96285/2021

(Direction and Intervention) (143)I.A.No.156431and 156427/2021 (Direction and Impleadment) (144) I.A.No.63802 and 63794/2021 (direction and Impleadment) (145) I.A.No.80826/2018(Direction) (146) I.A. No.193160/2019(Direction) (147) I.A.No.29012 and 29010 /2020(Direction and Intervention) (148) I.A No.54377/22 and 54378 of 2022(direction and Exemption for filing official translation) (149)I.A.No.105189/2022, 105195/22, 65481/23(Direction and permission for additional documents) (150)I.A.No.105199/2022, 105200/22(Direction) (151)I.A.No.105204/2022, 105208/22(Direction) (152)I.A.No.105212/2022, 105214/22(Direction) (153)I.A105217/22, 105218/22(Direction) (154)I.A105225/22, 105226/22(Direction) (155)I.A105228/22,105229/22(Direction) (156)I.A105234/22,105236/22(Direction) (157)I.A105239/22, 105240/22(Direction) (158)I.A105245/22, 105246/22(Direction) (159)I.A105249/22, 105250/22(Direction) (160)I.A105254/22, 105256/22(Direction) (161)I.A105259/22,105260/22(Direction) (162)I.A.No. 170440/2023, 170444/23, 170463/23(direction,O.T, Intetvention) (163)I.A.No. 204187/2023,204199/23(direction and O.T) (164)I.A.No.244789/2023,244788/23(direction and impleadment) (165) I.A.No.55568/2021Intervention Application (166) I.A.No.55574/2021(Direction) (167) I.A. No. 92051 and 92046/2020(Modification of order dated 23.01.2020) (168) I.A.No.86663 of 2018 (Applicaiton for directions) (169) I.A.No.86666 of 2018 (Application for directions) (170)I.A No.109334/22(direction) (171)I.A No.140453/23(direction) (172)I.A.No.108237/22,108240/22(impleadment and direction) (173) I.A.No.81385/2020(Application for Direction) (174) I.A.No.144452 and 144439/2019 (Application for Direction) (175) I.A. No.107705 / 2021 and 75750/2020(Application for Direction and Intervention) (176) I.A.No.50277, 50275 and 50278/2020 (Application for Direction, Intervention and Exemption from filing affidavit) (177) I.A.No.43810/2020(Direction) (178) I.A.No.24654/2020 (Direction) (179) I.A.No.2595/2020(Direction) (180) I.A.No.179807/2019(Direction) (181) I.A.No.151770/2019 (Direction) (182) I.A.No.107494/2019(Direction) (183) I.A.No.75467/2019(Direction) (184) I.A.No.185594/2018(Direction) (185) I.A.No.183793,183794 and 183800/2018(Direction) (186) I.A.No.119302/2018(Direction) (187) I.A.No.94381/2018 (Direction) (188) I.A.No.20915/2018 (Direction) (189) I.A.No.138756/2017(Direction) (190) I.A.No.136095/2017(Direction) (191) (192) I.A. No.73742/2021,78094 /2017(Direction,Intervention) (193) I.A.No.73741/2021(intervention) (194) I.A. No.83071/2018(Direction) (195) I.A.No.127217/2021(Impleadment) (196) I.A NO. 39456/22(direction) (197)I.A Nos.120085/22,120086/2022(impleadment,Direction) (198)I.A NO. 119770/22(Intervention) (199)I.A NO. 187067/22(direction) (200)I.A NO. 189718/22,189670/22,132788/23(direction ,impleadment) (201)I.A.Nos 199907/22, 199909/22,(impleadment) (202)I.A No.25114/23(impleadment) (203)I.A No.39008/23,39005/23(direction,impleadment) (204)I.A No.48174/23(direction) (205)I.A No.50741/23(direction) (206)I.A No.53604/23(direction) (207)I.A No.65481/23(permission to file additional documents) (208)I.A

No.204879/23,201993/23,201998/23(direction,impleadment,ot) (209)I.A No.38923/24,38873/24(direction,intervention) (210)I.A No.99798/24,99808/24(impleadment) (211)I.A No.148421/24,148491/24(impleadment and direction)
IA No. 148491/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 148421/2024 - INTERVENTION/IMPLEADMENT)

WITH
W.P.(C) No. 1330/2018 (X)

CONMT.PET.(C) No. 482/2020 in C.A. No. 13301/2015 (XVII)
(FOR ADMISSION
mobile no. 9773905516(Devendra Kumar goel))
T.P.(C) No. 1915/2019 (XIV)
(FOR
FOR STAY APPLICATION ON IA 114159/2019
IA No. 114159/2019 - STAY APPLICATION)
T.P.(C) No. 2987/2019 (X)
(FOR
FOR STAY APPLICATION ON IA 193353/2019
FOR EX-PARTE STAY ON IA 44573/2021
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 44575/2021
IA No. 44573/2021 - EX-PARTE STAY
IA No. 44575/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 193353/2019 - STAY APPLICATION)
W.P.(C) No. 500/2015 (X)
(FOR APPLICATION FOR DIRECTION ON IA 1/2015
IA No. 1/2015 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 104215/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 148858/2022 - CLARIFICATION/DIRECTION
IA No. 148820/2022 - INTERVENTION/IMPLEADMENT)
C.A. No. 13319/2015 (XVII)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 1/2015 FOR EX-PARTE STAY ON IA 2/2015
FOR [PERMISSION TO FILE ANNEXURES] ON IA 3/2015
FOR [directions] ON IA 5/2016
FOR [Directions] ON IA 6/2016
FOR CLARIFICATION/DIRECTION ON IA 120882/2018
FOR CLARIFICATION/DIRECTION ON IA 120890/2018
FOR CLARIFICATION/DIRECTION ON IA 120905/2018
FOR impleading party ON IA 49813/2019
FOR INTERVENTION/IMPLEADMENT ON IA 49813/2019
FOR CLARIFICATION/DIRECTION ON IA 49815/2019
IA No. 120905/2018 - CLARIFICATION/DIRECTION
IA No. 120890/2018 - CLARIFICATION/DIRECTION
IA No. 120882/2018 - CLARIFICATION/DIRECTION
IA No. 49815/2019 - CLARIFICATION/DIRECTION
IA No. 6/2016 - Directions
IA No. 5/2016 - directions
IA No. 2/2015 - EX-PARTE STAY
IA No. 1/2015 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 49813/2019 - INTERVENTION/IMPLEADMENT
IA No. 3/2015 - PERMISSION TO FILE ANNEXURES)
C.A. No. 13394/2015 (XVII)
(FOR impleading party ON IA 13587/2018
FOR INTERVENTION/IMPLEADMENT ON IA 13587/2018
FOR INTERVENTION APPLICATION ON IA 24482/2018
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 24485/2018
FOR STAY APPLICATION ON IA 24487/2018
FOR INTERVENTION APPLICATION ON IA 2632/2019
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 2633/2019
FOR INTERVENTION APPLICATION ON IA 2636/2019
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 2637/2019
FOR CLARIFICATION/DIRECTION ON IA 23104/2019
FOR INTERVENTION APPLICATION ON IA 25193/2021
FOR EXEMPTION FROM FILING O.T. ON IA 25194/2021
FOR CLARIFICATION/DIRECTION ON IA 25195/2021
FOR APPLICATION FOR PERMISSION ON IA 70244/2022
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 136826/2022
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 68848/2023
IA No. 70244/2022 - APPLICATION FOR PERMISSION
IA No. 2637/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 68848/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 2633/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 136826/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 24485/2018 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 23104/2019 - CLARIFICATION/DIRECTION
IA No. 25195/2021 - CLARIFICATION/DIRECTION
IA No. 25194/2021 - EXEMPTION FROM FILING O.T.
IA No. 2636/2019 - INTERVENTION APPLICATION
IA No. 2632/2019 - INTERVENTION APPLICATION
IA No. 24482/2018 - INTERVENTION APPLICATION
IA No. 25193/2021 - INTERVENTION APPLICATION
IA No. 13587/2018 - INTERVENTION/IMPLEADMENT
IA No. 24487/2018 - STAY APPLICATION)
C.A. No. 13410/2015 (XVII)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 1/2015
FOR EX-PARTE STAY ON IA 2/2015
FOR CLARIFICATION/DIRECTION ON IA 131617/2017
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 57215/2021
FOR EXEMPTION FROM FILING O.T. ON IA 57216/2021
IA No. 131617/2017 - CLARIFICATION/DIRECTION
IA No. 2/2015 - EX-PARTE STAY
IA No. 1/2015 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 57216/2021 - EXEMPTION FROM FILING O.T.
IA No. 57215/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)
T.C.(C) No. 134/2015 (XV)

W.P.(C) No. 640/2016 (X)
(FOR CLARIFICATION/DIRECTION ON IA 102672/2017
FOR PERMISSION TO FILE APPLICATION FOR DIRECTION ON IA 107462/2017

FOR CLARIFICATION/DIRECTION ON IA 108618/2021
IA No. 102672/2017 - CLARIFICATION/DIRECTION
IA No. 108618/2021 - CLARIFICATION/DIRECTION
IA No. 107462/2017 - PERMISSION TO FILE APPLICATION FOR DIRECTION)
W.P.(C) No. 613/2016 (X)

T.C.(C) No. 31/2016 (XIV-A)

T.C.(Crl.) No. 1/2016 (II-C)
IA No. 47032/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 50477/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 48505/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 99262/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 252789/2023 - EXTENSION OF BAIL)

T.C.(Crl.) No. 2/2016 (II-C)
FOR PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS ON IA 19023/2022
IA No. 168441/2022 - EXEMPTION FROM FILING O.T.
IA No. 122179/2022 - EXEMPTION FROM FILING O.T.
IA No. 88825/2022 - EXEMPTION FROM FILING O.T.
IA No. 61503/2022 - EXEMPTION FROM FILING O.T.
IA No. 19023/2022 - PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS)

T.C.(Crl.) No. 3/2016 (II-C)
IA No. 89043/2020 - CLARIFICATION/DIRECTION
IA No. 89044/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 252892/2023 - EXTENSION OF TIME
IA No. 48041/2019 - GRANT OF BAIL
IA No. 100387/2020 - INTERIM BAIL
IA No. 146584/2023 - INTERVENTION/IMPLEADMENT
IA No. 51584/2019 - MODIFICATION)
T.C.(C) No. 30/2016 (XIV-A)

SLP(C) No. 31585/2018 (XIV)
IA No. 105507/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 171780/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 184155/2018 – INTERVENTION/IMPLEADMENT)

T.P.(C) No. 1947/2019 (XIV)
IA No. 116052/2019 - STAY APPLICATION)

T.P.(C) No. 1951/2019 (XIV)
IA No. 116277/2019 - STAY APPLICATION)

Diary No(s). 39582/2022 (X)
(FOR ADMISSION and IA No.19261/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS

order dated 13.02.2023:- with I.A no 105681/2019 in c.A 13301/2015.
IA No. 19261/2023 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 39779/2022 (XVII)
IA No. 48180/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 241166/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Diary No(s). 4622/2023 (XVII)

Date : 08-08-2024 These matters were called on for hearing today.

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

For Parties **Mr. Pratap Venugopal, Sr. Adv.**
M/S. K J John And Co, AOR
Ms. Surekha Raman, Adv.
Mr. Vijay Valsan, Adv.
Mr. Shreyash Kumar, Adv.
Mr. Yashwant Sanjebam, Adv.

Mr. Nimish Chib, Adv.
Mr. Wajeeh Shafiq, AOR
Mr. Rakesh Goyal, Adv.
Mr. Mohd. Raoof, Adv.

Ms. Pallavi Tayal, AOR

Mr. R. Basant, Sr. Adv.
Mr. Shreeyash U. Lalit, Adv.
Mr. Devashish Godbole, Adv.
Mr. R. Garg, Adv.
Mr. Himanshu Vats, Adv.
Mr. Angad, Adv.
Mr. Lavan Tyagi, Adv.
Mr. Ishaan George, AOR

Mr. Archit Jain, Adv.
Mr. Sumit Kumar Siddharth, Adv.
Mr. Blessen George Johnson, Adv.
Ms. Dr Rukma George, Adv.

Mr. Praveen Chaturvedi, AOR
Mr. E. C. Agrawala, AOR

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UPON hearing the counsel, the Court made the following

O R D E R

1. **Pursuant to this Court's Order dated 25.07.2024, Mr. Pratap Venugopal, learned senior counsel appearing for the Securities and Exchange Board of India *('SEBI' for short)* as also for the Justice (Retd.) R.M. Lodha Committee (*hereinafter referred to as the 'Committee')*, has submitted the following documents before this Court;**

   a. **Chronology of events in compliance to order dated 25.07.2024.**
   b. **Summary/crux of reports submitted by Shri R.S. Lodha Committee.**
   c. **Procedure for sale of immovable properties by SEBI in exercise of powers under Section 28A.**
   d. **Compilation of orders of this Hon'ble Court being filed in compliance with the order dated 25.07.2024.**
   e. **Crux of reports/ recommendations submitted by Shri R.S. Virk, District Judge (Retd.) (filed on 01.08.2024).**
   f. **Crux of reports/ recommendations submitted by Shri R.S. Virk, District Judge (Retd.) (filed on 05.08.2024).**
   g. **Details of properties of PACL-State wise and attachment by Committee.**
   h. **Comprehensive chart showing the status of the proceedings so far conducted by the Committee.**

2. **Heard Mr. Pratap Venugopal, learned senior counsel appearing for SEBI as also for the Committee and the other learned senior counsel/ learned counsels appearing in their respective Interlocutory applications/ matters pending before this Court, more particularly, with regard to the I.As filed by SEBI seeking directions and the I.As filed by various**

parties seeking affirmation of recommendations of Shri R.S. Virk, District Judge (Retd.).

3. **Before proceeding further, let us have a bird's eye view of the orders passed by this Court and the proceedings undertaken by the Committee.**

(i) The instant appeals filed by the PACL Ltd. its Directors and others arise out of the common impugned judgment and order dated 12th August, 2015, passed by the Securities Appellate Tribunal, Mumbai ('SAT' for short) in the Appeal Nos. 368/2014, 369/2014,370/2014 and 95/2015, by which the said Appeals and other Misc. applications were dismissed, and the order dated 22.08.2014, passed by the Whole Time Members (WTM), SEBI, giving various directions, was confirmed. It was held by the SEBI *inter alia* that the schemes run by the PACL constituted Collective Investment Schemes (CIS), and as a natural consequence, directed the PACL/ its directors and promoters to wind up the existing CIS and refund the monies collected from the investors in violation of the SEBI Act and CIS Regulations.

(ii) This Court, vide the common Order dated 2nd February, 2016, passed in the instant appeals and other connected matters, had directed the SEBI to constitute a Committee with Hon'ble Mr. Justice R.M. Lodha, the former Chief Justice of India, as the Chairman of such Committee. It was also directed that the Committee shall appoint such experts or other persons, in consultation with SEBI so as to enable the Committee to sell the lands and pay to the investors in a manner that might be decided by the said Committee.

(iii) Pursuant to the said order, SEBI constituted the Committee headed by Hon'ble Mr. Justice R.M. Lodha, the former Chief

Justice of India on 17th February, 2016 along with the other three Members of SEBI. The said Committee had started carrying out the work as per the said Order dated 2nd February, 2016. The said Committee also, from time to time, submitted its Reports to this Court with regard to the Auction Sale proceedings undertaken by it of the properties of PACL.

(iv) On 27th September, 2017, the Committee proposed to appoint Shri. R.S. Virk, District Judge (Retd.) to consider the objections and grievances, and the representations made to, or received by the Committee.

(v) This Court, vide the order dated 15.11.2017, took notice of the appointment of Shri R.S. Virk, District Judge (Retd.) and impressed upon Mr.R.S. Virk to take up all matters on an urgent basis and submit an interim order within two months from that day.

(vi) The tenure of Mr. R.S. Virk was extended from time to time, by this Court till this date, and as per the order passed by this Court on 25th July, 2024, the same was extended till 30th September, 2024, with a request to him, to dispose of all the pending applications/ objections within his said extended period.

(vii) In the said order dated 25.07.2024, this Court had also directed that no fresh applications or objections shall be filed or shall be entertained by Shri R.S.Virk, and from the said date, such applications/ objections will be filed before the Committee only for consideration till further orders.

4. Now, there are about more than 200 interlocutory applications filed before this Court seeking various directions/orders in

connection with the proceedings undertaken by the Committee and by Mr. R.S. Virk. Mr. Pratap Venugopal, learned senior counsel therefore has categorized these applications into 13 categories, which are as under: -

SL.NO.	CATEGORY
I.	I.As filed by SEBI
II.	I.A. filed by the Government of Punjab – for purchase of PACL lands.
III.	I.As for affirmation of recommendations of Shri R.S. Virk, District Judge (Retd.)
IV.	I.A. seeking consideration of representation by Shri R.S. Virk, District Judge (Retd.)
V.	I.As. filed by/against Cooperative Welfare/Housing Societies etc.
VI.	I.As. objecting to recommendations of Shri R.S. Virk, District Judge (Retd.)
VIA.	I.As. seeking interim orders in objections pending before Shri R.S. Virk, District Judge (Retd.)
VII.	I.As. pertaining to bids/proposals for purchase of properties of PACL.
VIII.	I.As. pertaining to EOIs invited by Committee pursuant to order dated 23.01.2020 of this Hon'ble Court.
IX.	I.A. objecting to sale of properties that are to be referred to Shri R.S. Virk, District Judge (Retd.)
X.	I.As seeking modification of order dated 23.01.2020 of this Hon'ble Court.
XI.	I.As for setting aside sale certificates issued by the Committee (recall of order dated 04.08.2017 of this Hon'ble Court.)
XII.	I.A. for giving effect to Arbitral Award.
XIII.	I.As. seeking Miscellaneous reliefs.

5. **Today, we have taken up for hearing the Interlocutory applications filed by the SEBI, which fall under category-I, and the applications filed by various parties which fall**

under Category-III.

6. So far as the thirteen I.As (Category I) filed by the SEBI seeking directions in respect of the Status Report dated 23.03.2023 submitted by the Committee, along with Action taken Reports dated 08.03.2020 and 24.09.2021 are concerned, it may be noted that the Committee, considering the issues faced by it in the bulk sale of properties as per the conditions/requirements stipulated by this Court in the Order dated 23.01.2020, had suggested two proposals for the sale of PACL properties, in its report dated 24.09.2021. Today, during the course of hearing, Mr. Pratap Venugopal, learned senior counsel appearing for the SEBI as also for the Committee, and the other learned senior counsel/ learned counsel appearing in their respective Interlocutory applications, are in broad agreement that the Second Proposal made by the Committee, as contained in the said Status Report dated 24.09.2021, for the sale of all the properties in a cluster (District), be accepted. The said proposal reads as under –

> **PROPOSAL II- PROPOSAL FOR SALE OF ALL THE PROPERTIES IN A CLUSTER (DISTRICT)**
>
> **It is proposed that all the properties in a district/cluster may be put on sale. A list of such properties in each district is annexed hereto and marked as Annexure-R/2. A district is considered as I cluster and all the properties in such district will be considered as I unit. It is however, submitted that if there are properties common between the list of 1000 properties and the properties in the district, the properties in the district minus the common properties will considered as I unit/cluster for sale of**

properties. Selling properties at district/cluster level will encourage local people to participate in the sale process thereby bringing competition and fetching fair price.

7. **Having regard to the consensus of the learned advocates for the SEBI and for the parties, we accept the said Second Proposal with a clarification that the Committee shall follow the procedure as laid down in Section-28(A) of the SEBI Act. At this juncture, Mr. Pratap Venugopal, learned senior counsel makes a statement at the Bar that so far there is no auction of properties where objections have been received by the Committee, and the said statement made by the learned senior counsel is not disputed by any of the learned senior counsel/ learned counsel appearing on the other side.**

8. **So far as the Interlocutory Applications falling in Category No.III i.e. the applications seeking affirmation of recommendations of Shri. R.S. Virk District Judge (Retd.) are concerned, there are approximately 56 interlocutory applications listed under the said category. In all these applications, the directions have been sought to affirm or confirm the orders passed by Shri. R.S. Virk District Judge (Retd.). Since Shri R.S. Virk was appointed by the Committee with the approval of this Court, to consider the objections, grievances and representations made to or received by the Committee, we deem it appropriate to refer all these applications to the Committee so that the Committee may offer its opinions on the Orders passed by Mr. R.S. Virk and on the**

prayers sought in these applications. Mr. Pratap Venugopal, learned senior counsel undertakes at the Bar to forward all these 56 applications (approx.) digitally to the Committee for its consideration.

9. **The Committee may at its discretion call the concerned party for hearing or clarification, if it deems it necessary to do so and offer its remarks/opinions on the orders passed by Mr. R.S. Virk, District Judge (Retd.). The I.As be sent back to this Court, as and when the same are considered by the Committee.**

10. **Since, we had directed in our order dated 25.07.2024, that no fresh applications or objections shall be filed before or entertained by Shri R.S. Virk, District Judge (Retd.) and that the same shall be filed before the Committee, the Committee may deal with such applications/objections, if filed before it, and dispose them of as per the provisions contained under Section-28(A) of the SEBI Act. We have been apprised by Mr. Venugopal for the SEBI that the SEBI has its offices of Recovery Officers at Mumbai and Delhi for the purpose of execution and implementation of its orders as per Section 28-A of the SEBI Act.**

11. **In view of the above, the I.As of SEBI seeking directions pertaining to the Status Reports dated 24th September, 2021 and 23rd March, 2023 respectively, stand disposed of.**

12. **Taking note of the above, all the Interlocutory applications falling under: -**

i. Category-VII i.e. I.A.s pertaining to bids/ proposals for purchase of properties of and PACL, AND

ii. Category-VIII i.e. I.A.s pertaining to EOIs invited by Committee pursuant to Order dated 23.01.2020 of this Hon'ble Court.

also stand disposed of.

13. **In view of the above direction, the applications (IA No. 148491/2024 and IA No. 148421/2024) filed on behalf of M/S. V. Maheshwari & Co., learned Advocate on Record, stand disposed of.**

14. **Since, there is no Status Report submitted by the Committee after the Report dated 23.03.2023, we request the Committee to submit its latest Status Report before the next date. Mr. R.S. Virk, District Judge (Retd.) may also submit the latest Report before the next date of hearing.**

15. List the matters on 29th August, 2024 at 02:00 p.m. before the same combination of Bench.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(MAMTA RAWAT)
COURT MASTER (NSH)