

ITEM NO.6

COURT NO.6

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No. 13301/2015

SUBRATA BHATTACHARYA

Appellant(s)

VERSUS

SECURITIES AND EXCHANGE BOARD OF INDIA

Respondent(s)

(With appln(s) for appropriate orders/directions, permission to file application for direction, for exemption from filing c/c of the impugned judgment, for stay, permission to file annexures, for intervention, for direction, for impleadment, for modification of court's order, clarification/direction, permission to file additional documents)

WITH

W.P.(C) No. 640/2016 (X)

(With appln(s) for clarification/direction and for permission to file application for direction)

W.P.(C) No. 613/2016 (X)

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T.C.(C) No. 30/2016 (XVI -A)

W.P.(C) No. 500/2015 (X)

(With IA 1/2015)

C.A. No. 13319/2015 (XVII)

(With appln(s) for exemption from filing c/c of the impugned judgment, for ex-parte stay and for permission to file annexures)

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

(With appln(s) for permission to file annexures, for intervention, stay, impleadment and direction)

C.A. No. 13410/2015 (XVII)

(With appln(s) for exemption from filing c/c of the impugned judgment and for ex-parte stay)

T.C.(C) No. 134/2015 (XVI -A)

Date : 15-11-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For parties

Mr. R. S. Suri, Sr. Adv.
Ms. Pallavi Tayal Chadda, Adv.
Mr. Varun Khanna, Adv.
Mr. L.S. Hasan, Adv.
Mr. Avinash Kumar, Adv.

Mr. Ashutosh Dubey, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. Arun Nagar, Adv.
Mr. Satish Vig, AOR

Mr. Rajesh P., AOR

Mr. C. P. Chandrasekharan, Adv.
Mr. Somiran Sharma, AOR

Mr. E. C. Agrawala, AOR

Mr. Arvind P. Datar, Sr. Adv.
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Anuj Sarma, Adv.
Ms. Niharika, Adv.
Ms. Kanika Kalaiyarasan, Adv.
M/S. K J John And Co, AOR

Mr. Sudarshan Singh Rawat, AOR

Mr. Prakash Kumar Singh, AOR

Ms. Anuradha Mutatkar, AOR

Ms. Kamakshi S. Mehlwal, AOR

Mr. P. S. Patwalia, Sr. Adv.
Mr. Amit Kumar, AOR
Mr. Avijit M. Tripathi, Adv.
Mr. D. K. Singhal, Adv.
Ms. Amritakameshwar Srivastava, Adv.

Mr. Maninder Singh, ASG.
Mr. R. Balasubramaniam, Adv.
Ms. Ranjana Narayan, Adv.
Mr. Mukesh Kumar Maroria, AOR

Ms. Prerna Kumari, Adv.
Mr. Prabhas Bajaj, Adv.
Mr. Akshay Amritanshu, Adv.
Ms. Aarti Sharma, Adv.
Mrs. Anil Katiyar, AOR

Mr. Vinod Sharma, AOR

Mr. Suren Uppal, Adv.
Mr. Aviral Kashyap, AOR
Mr. Amit Kumar Singh, Adv.

Mr. Sumit Bansal, Adv.
Mr. Gagan Gupta, AOR
Ms. Richa Oberoi, Adv.

Mr. Hetu Arora Sethi, AOR

Ms. Shalu Sharma, AOR

Mr. Rameshwar Prasad Goyal, AOR

Dr. Adish C. Aggarwala, Adv.
Mr. Amish Aggarwala, Adv.
Mr. Abhinav Singh, Adv.
Mr. Sharad Goyal, Adv.
Mr. Aditya Singh, AOR

Mr. Shantanu Kumar, AOR

Mr. Rajiv Ranjan Dwivedi, AOR

Bj Law Offices, AOR

Mr. T. Sudhakar, Adv.
Mr. Prashant Bhushan, AOR

Mr. Anjani Kumar Mishra, AOR
Ms. Hardeep Kaur, Adv.

Mr. Vikramjit Banerjee, Sr. Adv.
Mr. P. S. Sudheer, AOR
Mr. Rishi Maheshwari, Adv.
Mr. Bharat Sood, Adv.
Ms. Shruti Jose, Adv.
Ms. Subhoshree Sil, Adv.
Mr. Avinash Das, Adv.
Mr. Ayush Anand, Adv.

Mr. Kailash Vasdev, Sr. Adv.
Mr. Hrishikesh Baruah, AOR
Mr. Siddhant Kaushik, Adv.
Ms. Radhika Gupta, Adv.

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

Since a committee headed by Shri R.S. Virk, District Judge (Retd.) has been constituted, in the first instance, all the grievances of these applicants shall be heard by the said committee and take a view on all these matters. Let all these applicants put up their cases before the Committee.

Mr. Pratap Venugopal, learned counsel, informs that the appointment of Shri R.S. Virk, District Judge (Retd.) shall be notified to all the applicants. It is also informed that a suitable accommodation is being arranged in Delhi at a convenient place in order to enable these applicants to appear before him. It is further stated that the Committee would be in a position to start functioning within one month from today.

We impress upon Mr. Virk to take up all these matters on an urgent basis and submit his report within a period of four months. However, interim report shall be submitted within two months.

I.A. No. 22042/2017

This application is filed by one Mr. Balkaran Singh Bhullar wherein he has stated that he may be permitted to act in aid of the agreement dated 19.02.2015 and discharge his part of the terms and conditions of the said contract. In essence, the applicant had offered to assist the committee. However, we are informed by Mr. Venugopal, learned counsel, that the applicant has since expired in October, 2017, and, therefore, this application has become infructuous. Thus, the application stands disposed of as having become infructuous.

C.A. No. 13301/2015 etc.

I.A. No. 36786/2017 and I.A. No. 36792/2017

Some applications are filed by certain applicants wherein it is, *inter alia*, prayed that PACL be not auctioned during the pendency of the *lis*. Mr. Venugopal makes a statement at the Bar that at present, there is no auction of the properties where objections have been received. This submission, according to us, takes care of the aforesaid prayer made by the applicants and the interlocutory applications are disposed of.

I.A. No. 36785/2017, I.A. No. 118905/2017, I.A. No. 36788/2017, I.A. No. 79970/2017, I.A. No. 117053/2017, I.A. No. 118905/2017

The applications for impleadment/intervention are allowed.

I.A. No. 64555/2017 in I.A. No. 20/2016

Issue notice to Greater Mohali Area Development Authority and Punjab Urban Development Authority, returnable in three weeks.

I.A. No. 75361/2017

Mr. Aggrawal, learned counsel appearing for the PACL, seeks two weeks' time to seek instructions as to whether the premises which are let out by the applicant to PACL are required by the PACL and whether it is possible to vacate and give back the possession thereof to the applicant.

The application stands adjourned for two weeks.

I.A. No. 117057/2017

As prayed for, reply be filed within two weeks.

I.A. No. 118909/2017 and I.A. No. 35762/2017

Mr. Venugopal, learned counsel, submits that pursuant

C.A. No. 13301/2015 etc.

to orders dated 04.08.2017, the Committee is setting up the mechanism for consideration of all proposals and it would be notified in December, 2017. It is further submitted that all these proposals shall be considered according to the said mechanism. In view thereof, no further orders are required to be passed in these applications which are disposed of.

I.A. No. 107462 and I.A. No. 102672

Issue notice.

Mr. Venugopal accepts notice and says that he will file the reply within two weeks.

List the applications after three weeks.

List these matters on 07.12.2017 before an appropriate Bench.

(NIDHI AHUJA)
COURT MASTER

(SNEH LATA SHARMA)
COURT MASTER

C.A. No. 13301/2015 etc.

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