

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

IA No. 75467 of 2020

IN

Writ Petition (s) (civil) No(s). 188 of 2004

In the Matter of :

M/S RAIGANJ CONSUMER FORUM

.... Petitioner

Versus

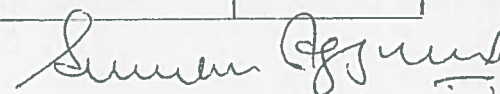
UNION OF INDIA & ORS.

.... Respondents

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New Delhi
Date:



Suruchii Aggarwal
Advocate

Counsel for Applicant-Committee – GFIL
(Appointed by Hon'ble Supreme Court of India)

IN

In the Matter of :

Versus

UNION OF INDIA & ORS. Respondents

To

and his Companion Judges of this Hon'ble Court

1. That the Hon'ble Supreme Court on number of occasions passed various orders dismissing the objections raised by the company Golden Projects Limited that it is independent from Golden Forests (India) Limited.

the order dated 25.07.2013 passed by the High Court of Delhi in WP(C) No. 1399 of 2010.

This Hon'ble Court also clarified that old Committee (this Committee), which was constituted prior to the passing of order dated 31.7.2015 by Punjab & Haryana High Court, shall continue to function with regard to the company Golden Projects Limited. Copy of the order dated 18.03.2016 is annexed as **Annexure A-2** (Pg 10 to Pg 13).

4. That in spite of the above orders of the Hon'ble Supreme Court, the Punjab & Haryana High Court had kept on registering number of company applications and had been passing orders on those company applications. Therefore the Committee filed I.A. No. 36379 of 2018 in T.C. (C) No. 2 of 2004 for transfer of various Company Applications pending in C.P. No. 115 of 2002 titled The Plantation Investors Protection Society (Regd.) Vs Golden Projects Limited before Punjab & Haryana High Court at Chandigarh.

The Hon'ble Court, on 7.8.2019 transferred all the pending Company Applications to the Hon'ble Supreme Court and tagged with C.A. No. 3134-37 of

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IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I.A. No. of 2020

IN

Writ Petition (s) (civil) No(s). 188 of 2004

In the Matter of :

M/S RAIGANJ CONSUMER FORUM Petitioner

Versus

UNION OF INDIA & ORS. Respondents

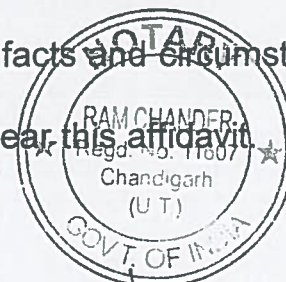
AFFIDAVIT

I, Sh. Brij Mohan Bedi S/o Sh. Sadhu Ram Bedi Aged about 69 years R/o H.No. 22, Sector -4 Panchkula, working as Member, Committee-GFIL do hereby solemnly affirm and declare as under:-

1. I am Member, Committee-GFIL, I am duly authorized and being fully conversant with the facts and circumstances of the case, I am competent to swear this affidavit.

Brij

06 AUG 2020



Attested as Identified

RAM CHANDER
Notary, Chandigarh (U.T.)

ITEM NO.37

COURT NO.10

SECTION IVB

7

SUPREME COURT OF INDIA

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).25922-

25925/2015

(Against the impugned interlocutory order dated 31.7.2015 in CANo. 377 of 2015 and interlocutory Order dated 7.8.2015 passed in C.A. No. 228 of 2015 and C. A. No. 273 of 2015 and final order dated 7.8.2015 passed in C.P. No. 115 of 2002 by the High Court of Punjab and Haryana at Chandigarh)

COMMITTEE-GOLDEN FORESTS (INDIA) LTD.

(APPOINTED BY SUPREME COURT OF INDIA)

Petitioner(s)

VERSUS

PLANTATION INVESTORS PROTECTION SOCIETY (REGD.) AND

ANR. ETC ETC.

Respondent(s)

(with appln. (s) for permission to file lengthy list of dates and interim relief and office report)

Date : 14/09/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL

HON'BLE MR. JUSTICE C. NAGAPPAN

For Petitioner(s)

Ms. Suruchii Aggarwal, Adv.

Mr. Prashant Chauhan, Adv.

Ms. Radhika Gupta, Adv.

For Respondent(s)

For RR-3

Mr. Anand Chibbar, Sr. Adv.

Mr. Alok Kumar Singh, Adv.

Mr. Deepak, Adv.

Mr. Shantwanu Singh, Adv.

UPON hearing the counsel the Court made the following

ORDER

Heard learned counsel for the petitioner.

Issue notice.

Ashok Kumar Singh, learned counsel accepts notice on behalf of Respondent No.3. Two weeks' time is granted for filing counter affidavit

Issue notice to other respondents.

Put up these matters on 12th October, 2015.

Till then, the newly constituted Committee shall stay the proceedings.

[INDU POKHRIYAL]
COURT MASTER

[SUKHBIR PAUL KAUR]
A.R.-CUM-P.S.

ITEM NO.2

COURT NO.2

SECTION IVB

10

**SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s).25922-
25925/2015

(Arising out of impugned final judgment and order dated
31/07/2015 in CA No.377/2015 and interlocutory order
dated 07/08/2015 in CA Nos.228/2015 and 273/2015 and
final order dated 07/08/2015 in CP No.115/2002 in passed
by the High Court Of Punjab & Haryana At Chandigarh)

COMMITTEE-GOLDEN FORESTS (INDIA) LTD.

(APPOINTED BY SUPREME COURT OF INDIA) Petitioner(s)

VERSUS

PLANTATION INVESTORS PROTECTION SOCIETY

(REGD.) & ANR. ETC. ETC.

Respondent(s)

(With appln.(s) for permission to file lengthy list of
dates and stay and interim relief and office report)

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Date : 18/03/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIL R. DAVE

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s)

Ms. Suruchii Aggarwal,Adv.

Mr. Prashant Chauhan,Adv.

Ms. Radhika Gupta,Adv.

For Respondent(s)

Dr. Rajeev Dhawan,Sr.Adv.

Mr. Ashok Kumar Singh,Adv.

Mr. Shantwanu Singh,Adv.

Mr. Surinder D. Sharma,Adv.

Mr. Meghsham S. Bhangle,Adv.

Mr. A.P. Bhandari,Adv.

Ms. Meera Dalal,Adv.

Mr. Tejal Dalal,Adv.

For Mr. S.C. Patel,Adv.

Mr. Anil Sharma,Adv.

Mr. Rajesh Sharma,Adv.

Ms. Shalu Sharma,Adv.

UPON hearing the counsel the Court made the following

ORDER

Heard the learned counsel Leave granted. Ad-interim relief granted earlier shall continue.

It is directed that implementation of the order dated 7th August, 2015, passed by the Punjab and Haryana High Court in C.A.Nos.228 and 275 of 2015, shall remain stayed.

It is further directed that while passing any order, the Company Court shall consider the contents of the order dated 25th July, 2013, passed by the High Court of Delhi in Writ Petition (C) Nos.1399/2010 and 1400/2010.

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It is clarified that old Committee, which was constituted prior to the passing of impugned order, shall continue to function.

(Sarita Purohit)

Court Master

(Sneh Bala Mehra)

Assistant Registrar

ITEM NO.1

COURT NO.4

SECTION X

14

SUPREMECOURTOFINDIA

RECORD OF PROCEEDINGS

Writ Petition (Civil) No(s). 188/2004

M/S. RAIGANJ CONSUMER FORUM

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

(IA No. 154673/2018 –APPROPRIATE ORDERS/ DIRECTIONS

IA No. 156169/2018 - CLARIFICATION/ DIRECTION IA No.

148036/2018 - CLARIFICATION/ DIRECTION

WITH

T.C.(C No. 171/2003 (XVI-A)

T.C.(C No. 59/2003 (XVI-A)

T.C.(C No. 60/2003 (XVI-A)

T.C.(C No. 66/2003 (XVI-A)

T.C.(C No. 68/2003 (XVI-A)

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T.C.(C No. 88/2003 (XVI-A)

T.C.(C No. 89/2003 (XVI-A)

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T.C.(C No. 242/2003 (XVI-A)

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T.C.(C No. 255/2003 (XVI-A)

T.C.(C No. 256/2003 (XVI-A)

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T.C.(C No. 257/2003 (XVI-A)

T.C.(C No. 258/2003 (XVI-A)

T.C.(C No. 259/2003 (XVI-A)

T.C.(C No. 260/2003 (XVI-A)

T.C.(C No. 261/2003 (XVI-A)

T.C.(C No. 262/2003 (XVI-A)

T.C.(C No. 95/2003 (XVI-A)

T.C.(C No. 124/2003 (XVI-A)

T.C.(C No. 146/2003 (XVI-A)

T.C.(C No. 201/2003 (XVI-A)

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T.C.(C No. 226/2003 (XVI-A)

T.C.(C No. 227/2003 (XVI-A)

T.C.(C No. 82/2003 (XVI-A)

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T.C.(C No. 3/2004 (XVI-A)

T.C.(C No. 8/2004 (XVI-A)

T.C.(C No. 10/2004 (XVI-A)

T.C.(C No. 22/2004 (XVI-A)

T.C.(C No. 19/2005 (XVI-A)

T.C.(C No. 24/2005 (XVI-A)

T.C.(C No. 23/2005 (XVI-A)

T.C.(C No. 58/2005 (XVI-A)

T.C.(C No. 49/2005 (XVI-A)

T.C.(C No. 50/2005 (XVI-A)

T.C.(C No. 51/2005 (XVI-A)

T.C.(C No. 53/2005 (XVI-A)

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T.C.(C No. 55/2005 (XVI-A)

T.C.(C No. 56/2005 (XVI-A)

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T.C.(C No. 57/2005 (XVI-A)

C.A. No. 3134-3137/2016 (IV

SLP(C No. 227/2019 (IV-B

(FOR ADMISSION

Date : 07-08-2019 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE M.R. SHAH

HON'BLE MR. JUSTICE B.R. GAVAI

Counsel for the
parties

Mr. K. Radhakrishnan, Sr. Adv.

Ms. Swarupama Chaturvedi, Adv.

Mr. D. L. Chidananda, Adv.

Ms. Swati, Adv.

Mr. Bhargava V. Desai, Adv.

Mr. Akshat Malpani, Adv.

Mrs. Anil Katiyar, Adv.

Mr. Chetan Sharma, Sr. Adv.

Mr. Rajiv Goel, Adv.

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Mr. Rajesh Sharma, Adv.

Mr. Anjan Datta, Adv.

Mr. Firoz Saifi, Adv.

Ms. Shalu Sharma, Adv.

Mr. Jatinder Kumar Sethi, Adv.

Mr. Ashutosh Kumar Sharma, Adv.

Mr. Jatinder Kumar Bhatia, Adv.

Ms. Varsha Singh Choudhry, Adv.

Mr. Hitesh Kumar Sharma, Adv.

Mr. S. K. Rajora, Adv.

Mr. Kusum Chaudhary, Adv.

Mr. M. L. Lahoty, Adv.

Mr. Paban K. Sharma, Adv.

Mr. Anchit Sripat, Adv.

Ms. Suruchi Aggarwal, Adv.

Mr. Prashant Chauhan, Adv.

Mr. M. C. Dhingra, Adv.

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Mr. Gaurav Dhingra, Adv.

Ms. Indira Kandra, Adv.

Mr. Keshav Mohan, Adv.

Mr. Rishi K. Awasthi, Adv.

Mr. Prashant Kumar, Adv.

Mr. Santosh Kumar, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. S. Bhowmick, Adv.

Mr. P. D. Sharma, AOR

Mr. Bhargava V. Desai, AOR

Mr. Sarvesh Singh, AOR

Ms. Suruchii Aggarwal, AOR

Mr. Ranjan Mukherjee, AOR

Mr. R. C. Kaushik, AOR

Ms. Minakshi Vij, AOR

Mr. Naresh Bakshi, AOR

Mr. Somnath Mukherjee, AOR

Mr. Naresh Bakshi, AOR

Mr. Shailendra Bhardwaj, AOR

Mr. Arun Kumar Beriwal, AOR

Mr. Rana Ranjit Singh, AOR

Mr. Somnath Mukherjee, AOR

Mr. Ramesh Babu M. R., AOR

Mr. Jatinder Kumar Bhatia, AOR

Mr. Rameshwar Prasad Goyal, AOR

Mr. Ugra Shankar Prasad, AOR

Mr. Bhargava V. Desai, AOR

Mrs. S. Usha Reddy, AOR

Mr. Ashwani Kumar, AOR

Mr. Tara Chandra Sharma, AOR

Mr. Chander Shekhar Ashri, AOR

Mr. G. Ramakrishna Prasad, AOR

Mr. Surya Kant, AOR

Dr. Surender Singh Hooda, AOR

Ms. Sunita Sharma, AOR

M/S. K J John And Co, AOR

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Mr. M. C. Dhingra, AOR

Ms. Shalu Sharma, AOR

Mr. Shree Pal Singh, AOR

Mr. Abhijit Sengupta, AOR

Mr. Kusum Chaudhary, AOR

Mr. Ashok Kumar Singh, AOR

Ms. Ranjeeta Rohatgi, AOR

Mr. Vishwajit Singh, AOR

Mr. D. N. Goburdhan, AOR

Mr. K. S. Rana, AOR

Ms. Chitra Markandaya, AOR

Mr. R. Gopalakrishnan, AOR

Ms. Minakshi Vij, AOR

Mr. B. K. Pal, AOR

Mr. Sudhir Kumar Gupta, AOR

Mrs. Anil Katiyar, AOR

M/S. Ap & J Chambers, AOR

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Mr. Yash Pal Dhingra, AOR

Mr. Arun K. Sinha, AOR

Mr. S. Ravi Shankar, AOR

Mr. Ranjan Mukherjee, AOR

Mr. A. P. Mohanty, AOR

Mr. Alok Gupta, AOR

Ms. Suruchii Aggarwal, AOR

Mr. Subhasish Bhowmick, AOR

Ms. Tanuj Bagga, AOR

UPON hearing the counsel the Court made the following
ORDER

I.A.No. 64630 and 64633 of 2018

Taken on board.

Heard the learned counsel for the intervenor(s) We feel that the property could not have been given to one of the investors. It has to be sold and the proceeds of the property have to be equally distributed amongst the investors. Thus, the prayer made in the

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intervention application(s) is rejected and also in I.As. Filed by Mr. M. L. Lahoty, Adv. The property is ordered to be sold.
The applications are dismissed.

We have perused the affidavit of Income Tax Department in compliance of order dated 07/05/2019. With respect to the property at Sr. No. 16 in Annexure A (Under cliff Estate in Musoorie), it is stated by the learned counsel appearing on behalf of the State of Uttarakhand that the Income Tax Department has valued the property at Rs. 23.06 crores, but it may fetch much more value than that. We request the valuation team to look into this aspect. Let them auction the property and make an advertisement in the national and local newspapers with respect to sale of all the properties.

Mr. K. Radhakrishnan, learned senior counsel appearing on behalf of the Income Tax Department, has assured us that they are going to sell 23 properties within 2^{1/2} months by taking steps in accordance with law. The statement is placed on record.

Let the progress report be submitted to this court and the account be remitted, as already directed vide order dated 07.05.2019.

List after three months.

It is reported in the Office Report dated 23.07.2019 that the following cases, which have been received by this Court, have already been disposed of by the High Court and hence, they are treated to be disposed of and be deleted from the tagged matters

:-

1. T.C.(C) No. 89/2003
2. T.C.(C) No. 91/2003
3. T.C.(C) No. 99/2003
4. T.C.(C) No. 103/2003
5. T.C.(C) No. 105/2003
6. T.C.(C) No. 106/2003
7. T.C.(C) No. 111/2003
8. T.C.(C) No. 115/2003
9. T.C.(C) No. 116/2003
10. T.C.(C) No. 117/2003
11. T.C.(C) No. 120/2003
12. T.C.(C) No. 152/2003
13. T.C.(C) No. 154/2003
14. T.C.(C) No. 157/2003
15. T.C.(C) No. 159/2003
16. T.C.(C) No. 160/2003
17. T.C.(C) No. 161/2003
18. T.C.(C) No. 167/2003
19. T.C.(C) No. 172/2003

20. T.C.(C) No. 182/2003
21. T.C.(C) No. 190/2003
22. T.C.(C) No. 196/2003
23. T.C.(C) No. 200/2003
24. T.C.(C) No. 201/2003
25. T.C.(C) No. 203/2003
26. T.C.(C) No. 204/2003
27. T.C.(C) No. 205/2003
28. T.C.(C) No. 218/2003
29. T.C.(C) No. 230/2003
30. T.C.(C) No. 240/2003
31. T.C.(C) No. 250/2003
32. T.C.(C) No. 10/2004

Pending interlocutory application(s), if any, is/are disposed of.

I.A.No. 36379 of 2018 in T.C.(C) 2 of 2004

It is stated by the learned counsel that the notice in this application has already been issued and has been served on the concerned parties.

ANNEXURE - A2

The prayer made in Annexure A-2 for transfer of following cases from Delhi High Court to this Court is rejected:-

- 37
1. Bail Application No. 176/2015 (Pamila Syal)
 2. Bail Application No. 809/2015 (N.K. Syal)
 3. Bail Application No. 2684/2015 (Rakesh Kumar Arora)
 4. Bail Application No. 636/2016 (Naresh Kumar)
 - 5.

ANNEXURE - A3

The following cases mentioned at Sr. No.5 are transferred from Punjab and Haryana High Court to this Court and are tagged with C.A.Nos.3134-37 of 2016 :-

1. C.A.No. 129/2017
2. C.A.No. 138/2017
3. C.A.No. 258/2016
4. C.A.No. 259/2016
5. C.A.No. 260/2016,
6. C.A.Nos. 803-804/2015
7. C.A.No. 51/2016
8. C.A.No. 587/2015 in CP-115/2002

Other matters mentioned in ANNEXURE A3 are not to be transferred to this Court. The prayer for transfer is rejected.

ANNEXURE A4 – The matters mentioned in this annexure are not to be transferred to this Court. The prayer for transfer is rejected.

ANNEXURE A5 – The matters mentioned in this annexure are not to be transferred to this Court. The prayer for transfer is rejected.

ANNEXURE A7 – The matters mentioned in this annexure are not to be transferred to this Court. The prayer for transfer is rejected.

I.A.No. 36952 of 2019

As prayed for by Mrs. Suruchi Aggarwal, learned counsel, in view of the order dated 07.05.2019, this application is disposed of.

I.A.No. 45905 of 2019

It is stated by Mr. Ranjan Mukherjee, learned counsel for the intervenor(s) that the Bank details with respect to 970 investors have been uploaded by the investors. Let the Committee take appropriate steps, in case it has not been done so far, and do the needful within 15 days from today.

Let the verification process, in case it has not been done so far, be completed with respect to 155 claimants within the same period.

List for consideration on 25.09.2019 as to what has to be done on the surplus land cases.

(JAYANT KUMAR ARORA)

(COURT MASTER)

(JAGDISH CHANDER)

(BRANCH OFFICER)