

ITEM NO.4

COURT NO.1

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). 11108/2016

RAVI KUMAR RAJORIA & ORS.

Appellant(s)

VERSUS

M/S UNITECH LTD. & ORS.

Respondent(s)

(FOR INTERVENTION APPLICATION and APPROPRIATE ORDERS/DIRECTIONS and INTERVENTION APPLICATION and APPROPRIATE ORDERS/DIRECTIONS and FOR PERMISSION TO DELETE RES. NO. 2 FROM THE ARRAY OF PARTY and INTERVENTION APPLICATION and PERMISSION TO FILE APPLICATION FOR DIRECTION and INTERVENTION APPLICATION and PERMISSION TO FILE APPLICATION FOR DIRECTION and INTERVENTION/IMPLEADMENT and APPROPRIATE ORDERS/DIRECTIONS)

Date : 05-09-2017 This appeal was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE AMITAVA ROY
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Appellant(s) Ms. Aishwarya Bhati, AOR
Mr. Puspraj Singh, Adv.
Mr. Alabhya Bajpai, Adv.
Mr. Jasdeep Singh, Adv.
Ms. Ritu A., Adv.

For Respondent(s) Ms. Ritu Sobti, Adv.

Mr. Abhimanyu Bhandari, Adv.
Mr. Abhinav Agarwal, Adv.
Mr. Rajiv Virmani, Adv.
Mr. Gaurav Jain, Adv.
Ms. Natasha Garg, Adv.
Mr. E. C. Agrawala, AOR

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

In pursuance of our order dated 28.7.2017, a sum of

Rs.75,00,000/- (Rupees seventy five lac only) has already been deposited before the Registry of this Court. The same shall be disbursed on *pro rata* basis among the appellants and the three applicants whose claims have been determined by the National Consumer Disputes Redressal Commission.

It is submitted by Ms. Aishwarya Bhati, learned counsel that she has filed certain applications for intervention on behalf of the consumers who have not got their claims adjudicated by the National Consumer Disputes Redressal Commission. Let a copy of the applications be served on Mr. Abhimanyu Bhandari, learned counsel who shall obtain instructions in the matter.

At this juncture, it is submitted by Mr. Bhandari that as the respondent is paying the appellants, they should not pursue the First Information Report No.124/2014 lodged by them. Be it noted that the two Managing Directors are already in custody in connection with another FIR. Ms. Aishwarya Bhati, learned counsel would submit that the appellants are only interested to get back the principal amount and the interest, as determined by this Court and, therefore, as far as the present appellants are concerned, she will not oppose the prayer for bail on behalf of the appellants.

Liberty is granted to Mr. Bhandari that when the bail application is taken up to point out the order passed today.

Let the matter be listed on 9.10.2017 by which date the respondent shall deposit a further sum of Rs.75,00,000/- (Rupees seventy five lac only) before the Registry of this Court.

A prayer has been made by Ms. Aishwarya Bhati to delete the name of the bank from the array of respondents. Ms. Ritu Sobti, learned counsel appearing for the bank submits that she

has no objection as the bank is regularly getting the EMIs.

In view of the aforesaid, the name of the bank is deleted from the array of parties.

Call on the date fixed.

(Gulshan Kumar Arora)
Court Master

(Shakti Parkash Sharma)
Assistant Registrar