YAMUNA EXPRESSWAY PROJECT

JAYPEE INFRATECH
165 km expressway with 5 integrated townships
INDIAN MILESTONE IN INFRASTRUCTURE

Company under Corporate insolvency resolution process by NCLT Order, dated August 9, 2017

Ref: JIL:SEC:2018 **May 09, 2018**

National Stock Exchange of India Ltd.
"Exchange Plaza", C-1, Block G,
Bandra-Kurla Complex,
Bandra (E), Mumbai - 400 051
SCRIP CODE: JPINFRATEC

SUB : Clarification on news item "Jaypee Infra resolution plan promises flats to homebuyers in 3 years"
Source : Financial Express dated May 08, 2018.

Dear Sirs,

With respect to clarification sought by you on the news item **"Jaypee Infra resolution plan promises flats to homebuyers in 3 years" Source : Financial Express dated May 08, 2018**, we wish to submit as under:

1. The Company has been giving requisite disclosures from time to time in connection with ongoing Corporate Insolvency Resolution Process of Jaypee Infratech Limited (JIL) beginning 10th August, 2017 informing that Hon'ble National Company Law Tribunal, Allahabad Bench, (NCLT) vide its Order dated 9-8-2017, had admitted the application of IDBI Bank under Section 7 of Bankruptcy and Insovency Code, 2016 (Code).

2. The Company had informed that Hon'ble NCLT had appointed Shri Anuj Jain as Interim Resolution Professional (now Resolution Professional) (the "RP") to take-over the management of affairs of JIL and to finalize the restructuring plan and place it before NCLT within the timelines prescribed under Insolvency and Bankruptcy Code, 2016. Consequently, RP has to complete the resolution plan during the short span of 180 days beginning 9-8-2017 extendable by a maximum period of 90 days by Hon'ble NCLT keeping in view the interest of all stakeholders.

3. The Company had also informed that the Resolution Plan would be subject to the outcome of the proceedings pending before the Hon'ble Supreme Court of India in Writ Petition (Civil) No.744/2017 and other connected matters and such other directions as given/may be given by Hon'ble Supreme Court in the matter. (Relevant orders of Hon'ble NCLT and Hon'ble Supreme Court of India are enclosed for ready reference).

JAYPEE INFRATECH LIMITED

JAYPEE GROUP

JAYPEE INFRATECH LIMITED
CIN : L45203UP2007PLC033119
Regd. Office : Sector - 128, Noida - 201304, Uttar Pardesh (INDIA)
Ph.: +91 (120) 4609000, 2470800 Fax: +91 (120) 4609464 Website: www.jaypeeinfratech.com

4. The process of finalization of resolution plan is being followed in accordance with Insolvency and Bankruptcy Code and orders of Hon'ble Supreme Court.

5. The Resolution Professional and the Committee of Creditors are discussing various options/plans. The stock exchanges will be informed when a particular plan is approved.

You are requested to take the above information on record.

Thanking you,

Yours faithfully,
For **JAYPEE INFRATECH LIMITED**

JAYPEE INFRATECH LIMITED
Company under Corporate insolvency resolution process by NCLT Order, dated August 9, 2017

(Anuj Jain)
Resolution Professional
IP Registration no. IBBI/IPA-001/IP-P00142/2017-18/10306
(Jaypee Infratech Limited is under Corporate Insolvency Resolution Process of the Insolvency and Bankruptcy Code 2016. Its affairs, business and assets are being managed by the Interim Resolution Professional, Mr. Anuj Jain, appointed by the National Company Law Tribunal by order dated 9th August, 2017 under the provisions of the Code).

Encl.
1. Copy of Order of Hon'ble NCLT dated 9th August, 2017
2. Copy of Order of Hon'ble Supreme Court dated 21st March, 2018
3. Copy of Order of Hon'ble Supreme Court dated 16th April, 2018

National Company Law Tribunal

Allahabad Bench

CP NO. CIB)77/ALD/2017

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 09.08.2017

NAME OF THE COMPANY: IDBI Bank Limited Vs. Jaypee Infratech Ltd

SECTION OF THE COMPANIES ACT: U/S 7 of IB Code 2016

Sl. NO.	Name	Designation	Representation	Signature
1.	R.P. Agarwal	Adv.	Resp.	
2.	Rahul Agarwal	Adv.	Petitioner	
	Uday Khare	Adv.	Petitioners	

CP (IB) 77/ALD/2017: IDBI Bank Vs Jaypee Infratech Limited

The case is fixed today for pronouncement of order on the present application, filed under Section 7 of the Insolvency and Bankruptcy Code, 2016 read with Rule 4 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 on its admission or otherwise.

As, total amount of default is stated Rs. 526,11,40,827/- which is in excess of Rs. 1,00,000/- (Rupees One Lac only). Hence, the Financial Creditor has filed the present application for initiation of Corporate Insolvency Resolution Process as per the Insolvency & Bankruptcy Code, 2016. The Order in detail is recorded separately the operative portion thereof reads as under.

Since in the present matter the Corporate Debtor Company earlier had filed objection opposing the admission of the present petition but later on 04.08.2017, of the Corporate Debtor Company in presence of its officer proposed to withdraw the same and conceded to allow the admission of present petition.

Keeping in view of the above subsequent development took place, the court advised the Corporate Debtor Company to file a formal memo. Pursuant thereto Shri Manoj Gaur, the Chairman Cum Managing Director has filed a memo

in this respect, through his counsel Shri R.P. Agarwal, which contains such averment that "***the parties to the application had a meeting on 03.08.2017. They discussed need to withdraw their objection on the present petition and they expressed their desire for early approval of the resolution plan of the Corporate Debtor Company which is already under consideration of its lenders. In view of this the Corporate Debtor has expressed its no- objection to the present application".***

The Corporate Debtor Company further explained in the memo that its no-objection is given considering ***the interest of all the stakeholders of the Respondents Company including home buyers and depositors***. Therefore, the Corporate Debtor did not want to press for its objection to the present I & B application.

We perused the above stated memo and examined the content of the present application as well as the subsequent development took place in the matter. It is now an undisputed position in the matter that the Financial Creditor along with other lenders as well as the Corporate Debtor Company are having consensus for early approval of a resolution plan.

By perusal of contents of present Petition, we find that it is filed in conformity with section 7 of the Insolvency and Bankruptcy Code, 2016 and rules made thereunder. Hence, it is found complete.

Having heard Shri Bishwajit Dubey along with Shri Rahul Agarwal, learned Counsel for Financial Creditor and Shri R.P. Agrawal learned counsel for Corporate Debtor, the present petition deserved to be admitted. Hence, it is admitted with Consequential Directions given as under:

I. That the adjudicating Authority of this bench of the Tribunal hereby appoints ***Mr. Anuj Jain , Email.Id anujvjain@bsraffiliates.com , Registration No. IBBI/IPA-001/IP-P00142/2017-18/10306***, Address : M/S BSRR & Co. Chartered Accountants , 8th Floor, Building No. 10, DLF Cybercity , Gurgaon – 122002 as Interim Resolution Professional to carry the functions as mentioned under Insolvency and Bankruptcy Code.

II. That the order of moratorium u/s 14 shall have effect from 09.08.2017 till the completion of corporate insolvency resolution process or until this Bench approves the resolution plan under subsection (1) of Section 31 or

passes an order for liquidation of corporate debtor under section 33 as, the case may be.

III. That the Bench hereby prohibits the institution of suits or continuation of pending suit or proceedings against the corporate debtor including execution of any judgement ,decree or order in any court of law, tribunal ,arbitration panel or other authority ; transferring , encumbering, alienating or disposing of by the corporate debtor any of its assets or any legal right or beneficial interest therein ; any action to foreclose , recover or enforce any security interest created by the Corporate Debtor in respect of its property including any action under the SARFESI Act, 2002; the recovery of any property by an owner or lessor where such property is occupied by or in the possession of the corporate debtor.

IV. That the supply of essential goods or services to corporate debtor, if continuing, shall not be terminated or suspended or interrupted during the Moratorium period. The Corporate Debtor to provide effective assistance to the I.R.P as and when he takes charge of Corporate Debtor Company.

V. During the period of Moratorium, the affairs of Corporate Debtor Company to be continued and conducted in accordance with the law and as a going concern.

VI. That the provisions of Section 14 sub – section (1) shall not apply to such transactions as may be notified by the Central Government in consultation with any financial sector regulator.

VII. That the public announcement of corporate insolvency resolution process be made immediately as specified under Section 13 of the code and calling for submissions of claim under Section 15 of the Code.

VIII. The Interim Resolution Professional shall perform all his functions strictly which are contemplated, *interalia*, by Sections 17 18, 20,21 of the Code. It is further made clear that all the personnel connected with Corporate Debtor, its promoter or any other person associated with Management of the Corporate Debtor are under legal obligation under Section 19 of the Code to extend every assistance and cooperation to the Interim Resolution Professional, would be at liberty to make appropriate application to this Tribunal with a prayer for passing an appropriate order. The IRP shall be under duty to protect and preserve the value of the property of the 'Corporate Debtor' as a part of its obligation imposed by Section 20 of the I& B Code, 2016.

IX. The Registry is hereby directed to communicate this order to the Financial Creditor and the Corporate Debtor after the completion of necessary formalities.

X. A Copy of this order be communicated to the IRP as well as to Insolvency and Bankruptcy Board of India.

—— Sd ——

H.P Chaturvedi 9/8/2017
(Member Judicial)

Date- 09/08/2017
Typed By:
Aparna Trivedi
Law Research Assistant

ITEM NO.1 COURT NO.1 SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).744/2017

CHITRA SHARMA & ORS. Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(IA No.30118/2018-impleading party and IA No.30122/2018-CLARIFICATION/DIRECTION and IA No.30125/2018-impleading party and IA No.30133/2018-impleading party and IA No.30140/2018-impleading party and IA No.32031/2018-impleading party and IA No.32977/2018-INTERVENTION APPLICATION and IA No.32978/2018-CLARIFICATION/DIRECTION and IA No.33431/2018-STAY APPLICATION)

WITH
SLP(C) No. 24001/2017 (XI)
(and IA No.17043/2018-CLARIFICATION/DIRECTION)
W.P.(C) No. 782/2017 (X)
W.P.(C) No. 803/2017 (X)
W.P.(C) No. 860/2017 (X)
(FOR ADMISSION)
W.P.(C) No. 783/2017 (X)
W.P.(C) No. 805/2017 (X)
(FOR STAY APPLICATION ON IA 84812/2017)
SLP(C) No. 24002/2017 (XI)
(FOR PERMISSION TO FILE SLP/TP ON IA 84838/2017 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 84839/2017 FOR INTERVENTION/IMPLEADMENT ON IA 84840/2017 and IA No.88057/2017-INTERVENTION/IMPLEADMENT and IA No.88410/2017-CLARIFICATION/DIRECTION and IA No.88689/2017-INTERVENTION APPLICATION and IA No.88696/2017-MODIFICATION and IA No.89329/2017-INTERVENTION/IMPLEADMENT and IA No.115034/2017-INTERVENTION APPLICATION and IA No.119047/2017-impleading party)
W.P.(C) No. 950/2017 (X)
SLP(C) No. 36396/2017 (XI)
(FOR ADMISSION and I.R. and IA No.98200/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.98186/2017-APPLICATION FOR IMPLEADMENT OF RESPONDENTS and IA No.98181/2017-PERMISSION TO FILE SLP/TP and IA No.98204/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS and IA No.137592/2017-CLARIFICATION/DIRECTION)
Diary No(s). 33267/2017 (XI)
(FOR ADMISSION and I.R. and IA No.129410/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.131630/2017-INTERVENTION/IMPLEADMENT and IA No.129408/2017-PERMISSION TO FILE SLP/TP and IA No.129406/2017-CONDONATION OF DELAY IN REFILING and IA No.129413/2017-PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 21-03-2018 This petition was called on for hearing today.

CORAM :
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

Amicus Curiae **Mr. Pawanshree Agrawal, Adv.**

For Petitioner(s) **Ms. Mohna, AOR**

Ms. Sujeeta Srivastava, AOR

Mr. Pukhrambam Ramesh Kumar, AOR
Ms. Rahat Sharma, Adv.

Mr. Ashwarya Sinha, AOR
Ms. Priyanka Sinha, Adv.
Mr. Srijan Sinha, Adv.
Ms. Ameyavikarama Thanvi, Adv.

Mr. Shiv Sagar Tiwari, AOR

Mr. Gopal Jha, AOR
Mr. Arun Monga, Adv.
Mrs. Diviya Sharma, Adv.

Mr. Shuvodeep Roy, AOR
Mr. Fuzail Ahmad Ayyubi, AOR
Mr. Ambhoj Kumar Sinha, AOR

Ms. Praveena Gautam, AOR
Mr. Jitesh P. Gupta, Adv.
Mr. Pawan Shukla, Adv.

Ms. Aparna Bhat, AOR
Mr. Mayank Sapra, Adv.

Mr. Tishampati Sen, AOR
Mr. Alok Shukla, AOR
Mr. Neeraj Kumar Gupta, AOR

Ms. Anne Mathew, AOR
Mr. Himanshu Shekhar, AOR
Mr. Amit Pawan, AOR
Ms. Rashmi Nandakumar, AOR
Ms. Anannya Ghosh, AOR

Mrs. Revathy Raghavan, AOR
Mr. S. Muthu Krishnan, Adv.
Mr. Gogel Krishnan, Adv.
Mr. Anbu, Adv.

Mr. Dharmendra Kumar Sinha, AOR

Dr. R.R. Kishor, Adv.
Mr. Karunakar Mahalik, AOR
Ms. Rumi Chandra, Adv.

Mr. Shantanu Sagar, AOR
Mr. R. P. Gupta, AOR
Mr. Shovan Mishra, AOR
Mr. Pawanshree Agrawal, AOR
Mr. Bijoy Kumar Jain, AOR

For Respondent(s)/ Applicant (s)

Mr. Anupam Lal Das, AOR
Mr. Vishal Gupta, Adv.
Mr. Abhishek Raj, Adv.
Mr. Krishanu Barua, Adv.

Mr. Parag Tripathy, Sr. Adv.
Mr. Sumant Batra, Adv.
Mr. Sanjay Bhatt, Adv.

Ms. Swarupama Chaturvedi, AOR
Mr. B.N. Dubey, Adv.
Ms. Bhawna Singdev, Adv.
Ms. Devika Gulati, Adv.

Mr. Sanjay R. Hegde, Sr. Adv.

Mrs. V. Mohana, Sr. Adv.
Ms. Madhavi Divan, Adv.
Ms. Nidhi Khanna, Adv.
Mr. Syed Shahid Hussain Rizvi, Adv.
Mr. Harish V. Shankar, Adv.
Mrs. Anil katiyar, Adv.

Mr. Bishwajit Dubey, Adv.
Ms. Srideepa Bhattacharayya, Adv.
Mr. Manpreet Lamba, Adv.
For M/S. Cyril Amarchand Mangaldas Aor, AOR

Mr. Anand Prasad, Adv.
Mr. Sandeep Devasish Das, AOR
Mr. Baij Nath patel, Adv.

Mr. Hitesh Kumar Sharma, Adv.
Mr. S.K. Rajora, Adv.
Mr. Parveen Swarup, Adv.

Unuc Legal Llp, AOR
Mr. Ajit Sharma, AOR
Mr. Ashwarya Sinha, AOR
Mr. Bijoy Kumar Jain, AOR

Mr. Sonam Sharma, Adv.
Ms. Srishty Kaul, Adv.
Ms. Ruchi Kohli, Adv.

Mr. Varinder Kumar Sharma, AOR
Ms. Parul Sharma, Adv.
Mr. Yugal K. Prasad, Adv.
Mr. Mohd. Shahid Hussain, Adv.

Mr. Anivesh Bharadwaj, Adv.
Mr. C.S. Ashri, Adv.

Mr. Sushil Kumar Singh, Adv.
Mr. A.K. Jha, Adv.
Mr. S.N. Shukla, Adv.

Mr. P.N. Puri, Adv.
Mr. Sunil Malhotra, Adv.
Mr. Rajat Malhotra, Adv.
Mrs. Reeta Dewan Puri, Adv.

Mr. Nakul Dewan, Adv.
Mr. Pradhuman Gohil, Adv.
Mrs. Taruna Singh Gohil, AOR
Mr. Himanshu Chaubey, Adv.
Ms. Neelu Mohan, Adv.
Mr. Zain Maqbool, Adv.

Mr. Jayant Bhushan, Sr. Adv.
Mr. Ramakant Raj, Adv.
Mr. Anurag Misra, Adv.
Mr. Syed Jafar Alam, AOR

Mr. Ashok Mathur, AOR
Mr. R. Sudhinder, Adv.
Ms. Saumya Mehrotra, Adv.

Mr. Amit Sharma, AOR
Mr. Naveen Kumar, AOR

Mr. Yunus Malik, Adv.
Ms. Renu Verma, Adv.
Ms. Farha Malik, Adv.

Mr. Vishnu Sharma, AOR
Ms. Anupama Sharma, Adv.
Ms. Sonali Negi, Adv.
Ms. Gautami Budhapriya, Adv.

Mr. Mangal Mukherjee, Adv.
Mrs. Debarpita Basu Mukherjee, Adv.

Mr. Sagnik Basu, Adv.
Mrs. Sarla Chandra, AOR

Mr. Arun K. Sinha, AOR

Mr. Rohit Singh, Adv.
Ms. Prerna Mehta, AOR

Mr. Sachin Patil, AOR
Mr. Partha Sil, AOR

Ms. Kavita Jha, AOR
Mr. Vaibhav Kulkarni, Adv.
Mr. udit Naresh, Adv.

Mr. M. A. Krishna Moorthy, AOR
Mr. K. K. Mohan, AOR
Mr. Raj Kishor Choudhary, AOR
Mr. Rabin Majumder, AOR

Ms. Shashi Kiran, AOR
Dr. Satish Chandra, Adv.
Mr. Manoj jain, Adv.

Mr. Rajesh Mahana, Adv.

Mr. Rajesh P., Adv.

Mr. Ramanand, Adv.
Mr. Bhargava V. Desai, Adv.
Mr. Akshat Malpani, Adv.

Mr. B.A.S. Jadon, Adv.

Mr. Anup Jain, AOR
Mr. Kedar Nath Tripathy, AOR
Mr. T. Harish Kumar, AOR
Mr. Talha Abdul Rahman, AOR
Mr. Abhijat P. Medh, AOR
Mr. Pradeep Kumar Bakshi, AOR
Mr. Ravindra Kumar, AOR

Mr. Pawan Upadhyay, Adv.
Ms. Sharmila Upadhyay, AOR
Mr. Sarvjit Pratap Singh, Adv.

Ms. Madhusmita Bora, AOR
Mr. Ranjan Kumar Pandey, AOR
Mr. Praveen Swarup, AOR
Mr. Shekhar Kumar, AOR
Mr. Balaji Srinivasan, AOR

Mr. Prashant Kumar, Adv.
Mr. Sudhir Aggarwal, Adv.

Mr. Kaushik Choudhury, Adv.
Mr. R.N. Durga Prasad, Adv.
Mr. Siddharth Jain, Adv.

Mr. Rajeev Kumar Bansal, AOR
Mr. Arun Singh, Adv.
Mr. Abhilash Nag, Adv.

Mr. Abhishek Yadav, AOR
Mr. Amarjit Singh Bedi, AOR

Mr. Raghavendra Mohan Bajaj, Adv.
Ms. Garima Bajaj, AOR

Ms. Tanya Shree, Adv.
Mr. Kunwar Aditya Singh, Adv.
Mr. G.S. Chauhan, Adv.
Mr. Ejaz Maqbool, AOR

Mr. P. V. Dinesh, AOR

Mr. S.S. Ray, Adv.
Mr. Vaibhav Gulia, Adv.
Mrs. Rakhi Ray, Adv.

Mr. N.K. Mody, Sr. Adv.
Ms. Siddhi Padia, Adv.
Mr. Santosh sharma, Adv.

Mr. N.K. Mody, Sr. Adv.
Mr. Arjun Garg, AOR
Mr. Abhinav Shrivastava, Adv.
Mr. Rahul Gupta, ,Adv.

Mr. Wajeeh Shafiq, Adv.
Mr. Dhairaj Kapoor, Adv.

Mr. Md. Rashid Saeed, AOR

Ms. Manjeet Chawla, AOR

Mr. Rahul Narayanan, Adv.
Ms. Payal Chawla, Adv.
Mr. Shashwat Goel, Adv.

Ms. Liz Mathew, AOR
Ms. Sujeeta Srivastava, AOR

Mr. Apoorv Shukla, Adv.
Mr. Kunal Cheema, AOR

Mr. Sudhir Naagar, AOR
Mrs. Gargi Khanna, AOR

Ms. Supriya Juneja, AOR
Mr. Bharat Monga, Adv.

Mr. G.C. Tyagi, Adv.
Mr. Kailash Pd. Pandey, Adv.

Mr. Vaibhav Kumar, Adv.
Mr. Avijit Paliwal, Adv.

Mr. Rachit Mittal, Adv.
Mr. Ankit Khera, Adv.
Ms. Tanvi Aggarwal, Adv.
Dr. Kailash Chand, AOR

Ms. Shireen Shukla, Adv.
Mr. Mudit Sharma, AOR

Mr. Sarvam Ritam Khare, AOR
Ms. Urvi Kothiala, Adv.
Ms. Benda, Adv.

Mr. S.K. Bhattacharya, Adv.
Mr. L.K. Paonam, Adv.
Mr. Niraj Bobby Paonam, Adv.
Mrs. Tomthinnganbi Koijam, Adv.

Mr. Rajiv K. Virmani, Adv.
Mr. Atul Malhotra, Adv.
Mr. Gaurav Jain, Adv.
Mr. Yadav Narender Singh, AOR

Mr. Ajay Marwah, Adv.
Mr. Mool Singh, Adv.

Ms. Hemantika Wahi, AdV.
Ms. Puja Singh, Adv.
Ms. Shodhika Sharma, Adv.
Ms. Vishakha, Adv.

Mr. Vikas Upadhyay, Adv.
Mr. Vidit Monga, Adv.
Mr. Ashwin Kumar Nair, Adv.
Mr. Baij Nath Patel, Adv.

Mr. Partha Sil, Adv.
Mr. Tavish B. Prasad, Adv.

Ms. Subhoshree Sil, Adv.

Mr. Sahil Sethi, Adv.
Mr. Shivam Sharma, Adv.
Ms. Astha Sharma, Adv.

Mr. Jasbir Singh Malik, Adv.
Ms. Usha Nandini V., Adv.

Mrs. K. Enatoli Sema, Adv.
Mr. Edward Belho, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. K. Luikang Michael, Adv.

Mr. Mohit Chaudhary, Adv.
Ms. Puja Sharma, Adv.
Mr. Kunal Sachdeva, Adv.
Ms. Garima Sharma, Adv.
Mr. Balwinder Sing Suri, Adv.
Mr. Imran Ali, Adv.

Mr. Braj Kishore Mishra, Adv.
Ms. Aparna Jha, Adv.
Mr. Abhishek Yadav, Adv.

Ms. Anshu Gupta, Adv.
Mr. Niraj Gupta, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Heard Mr. Anupam Lal Das, learned counsel appearing for respondent No.4 – Jai Prakash Associates Ltd. (JAL).

Though many a contention has been raised by Mr. Das, yet, we are not inclined to entertain the same keeping in view our orders dated 11.09.2017 and 25.10.2017. We have been told by Mr. Das that JAL has deposited a sum of Rs.550 crores before the Registry of this Court. It is submitted by Mr. Das that only 8% of the home buyers / allottees are inclined to take refund whereas others have expressed their inclination to have the flats.

We would intend to make it absolutely clear that, for the present, we are only concerned with those home buyers who

intend to have refund. In the next phase, we may consider the grievances, if any, of the home buyers who intend to have the flats. In that regard, we think it appropriate to hear Mr. Parag Tripathi, learned senior counsel appearing for Interim Resolution Professional (IRP) and Mr. Jayant Bhushan and Mr. Sanjay Hegde and others, learned senior counsel appearing for some Associations of home buyers who intend to have their flats.

As our order for deposit of Rs.2000 crores has not been complied with, we intend to pass the following directions:

(a) JAL shall deposit a further sum of Rs.200 crores in two instalments, as agreed by the Managing Director who is present in Court today. The first instalment of Rs.100 crores shall be deposited by 15th April 2018 and the second instalment of Rs.100 crores shall be deposited by 10th May 2018;

(b) It is submitted by Mr. Pawan Shree Agrawal, learned amicus curiae that as per his portal an amount of Rs.1300 crores, at present, is required to be refunded towards the principal sum for those home buyers who, as of today, seek refund. The figure of Rs.1300 crores is as per the record of JAL.

In view of the aforesaid, we would require Mr. Agrawal to prepare a projectwise Chart indicating the number of persons in respect of that project and the stage of completion of the respective projects so that appropriate order can be passed for disbursement of the amount on pro-rata basis to the home buyers;

(c) Mr. Agrawal, learned amicus curiae shall keep the portal operational. However, the requests of only those persons on the portal who have sought refund, as of today will be considered at this stage;

(d) The submission of the home buyers who are seeking refund is that the developer is making demands towards monthly instalments. We direct that no demand towards

outstanding or future instalments shall be raised by the developer to the flat buyers who have, as of today, expressed the option to obtain refund. The demands raised by the developer in respect of the home buyers who have already opted for refund till today, shall remain stayed;

(e) The IRP may proceed to finalise the resolution plan but the same shall be implemented after taking leave of this Court.

(f) The National Company Law Tribunal (NCLT) shall decide subject to the directions which we have given hereinabove.

Before we fix the next date, we must note that we have been apprised that Mr. Shekhar Naphade, learned senior counsel who was appointed to espouse the cause of the home buyers before the Committee of Creditors has expressed his inability to continue as such.

In view of the aforesaid, a need has arisen to appoint someone else in place of Mr. Shekhar Naphade and accordingly we appoint Mr. Gaurav Agrawal, Advocate. It is further clarified that Mr. Gaurav Agrawal shall be guided by our previous orders.

Let the matter be listed on 16th April 2018 so that this Court can take note of whether the developer has complied with the direction of depositing the first instalment and to pass directions with regard to disbursement of the amount deposited on pro-rata basis on the basis of the report submitted by Mr. Pawan Shree Agrawal.

(Subhash Chander)
AR-cum-PS

(H.S. Parasher)
Assistant Registrar

ITEM NO.4 COURT NO.1 SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).744/2017

CHITRA SHARMA & ORS. Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(and IA No.30118/2018-impleading party and IA No.30122/2018-CLARIFICATION/DIRECTION and IA No.30125/2018-impleading party and IA No.30133/2018-impleading party and IA No.30140/2018-impleading party and IA No.32031/2018-impleading party and IA No.32977/2018-INTERVENTION APPLICATION and IA No.32978/2018-CLARIFICATION/DIRECTION and IA No.33431/2018-STAY APPLICATION)

WITH
[ITEM NO.4.1 - W.P.(C) No.782/2017 (X)];
[ITEM NO.4.2 - W.P.(C) No.783/2017 (X)
(IA No.83314/2017 – Appln. For interim relief];
[ITEM NO.4.3 - SLP(C) No. 24001/2017 (XI)
(and IA No.17043/2018-CLARIFICATION/DIRECTION)];
[ITEM NO.4.4 - W.P.(C) No. 805/2017 (X)
(FOR STAY APPLICATION ON IA 84812/2017)];
[ITEM NO.4.5 - W.P.(C) No.803/2017 (X)];
[ITEM NO.4.6 - SLP(C) No. 24002/2017 (XI)
(FOR PERMISSION TO FILE SLP/TP ON IA 84838/2017 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 84839/2017 FOR INTERVENTION/IMPLEADMENT ON IA 84840/2017 and IA No.88057/2017-INTERVENTION/IMPLEADMENT and IA No.88410/2017-CLARIFICATION/DIRECTION and IA No.88689/2017-INTERVENTION APPLICATION and IA No.88696/2017-MODIFICATION and IA No.89329/2017-INTERVENTION/IMPLEADMENT and IA No.115034/2017-INTERVENTION APPLICATION and IA No.119047/2017-impleading party)];
[ITEM NO.4.7 - W.P.(C) No. 950/2017 (X)];
[ITEM NO.4.8 - W.P.(C) No. 860/2017 (X)
(FOR ADMISSION)];
[ITEM NO.4.9 - SLP(C) No. 36396/2017 (XI)
(FOR ADMISSION and I.R. and IA No.98200/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.98186/2017-APPLICATION FOR IMPLEADMENT OF RESPONDENTS and IA No.98181/2017-PERMISSION TO FILE SLP/TP and IA No.98204/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS and IA No.137592/2017-CLARIFICATION/DIRECTION)];

**[ITEM NO.4.10 - Diary No(s). 33267/2017 (XI)
(FOR ADMISSION and I.R. and IA No.129410/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.131630/2017-INTERVENTION/IMPLEADMENT and IA No.129408/2017-PERMISSION TO FILE SLP/TP and IA No.129406/2017-CONDONATION OF DELAY IN REFILING and IA No.129413/2017-PERMISSION TO FILE LENGTHY LIST OF DATES)].**

Date : 16-04-2018 These petitions were called on for hearing today.

CORAM :
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

Mr. Pawan Shree Agrawal, Adv. [A.C.]
Mr. Gaurav Agrawal, Adv. [A.C.]

For Petitioner(s) Ms. Revathy Raghavan, Adv. [AOR]
Mr. S. Muthu Krishnan, Adv.
Mr. Selvaraj, Adv.

Mr. Shuvodeep Roy, Adv. [AOR]

Mr. Fuzail Ahmad Ayyubi, Adv. [AOR]

Mr. Arun Monga, Adv.
Ms. Divya Sharma, Adv.
Mr. Gopal Jha, Adv. [AOR]

Mr. R.P. Gupta, Adv. [AOR]

Ms. Mohna-in-person
Ms. Geetali Talukdar, Adv.

Dr. R.R. Kishore, Adv.
Mr. Karunakar Mahalik, Adv. [AOR]

Ms. Neela Kedar Gokhale, Adv.
Mr. Anvesh Verma, Adv.
Mr. Rakshit Thakur, Adv.
Mr. Shovan Mishra, Adv. [AOR]
Mr. Ilam Paridi, Adv.

Mr. Pawanshree Agrawal, Adv. [AOR]

Mr. Prashant Kumar, Adv.
Mr. Shantanu Sagar, Adv. [AOR]

Ms. Sujeeta Srivastava, Adv. [AOR]

Mr. Bijoy Kumar Jain, Adv. [AOR]

For Respondent(s) M/s. UNUC Legal LLP, Advs. [AOR]

Mr. Bishwajit Dubey, Adv.
Ms. Srideepa Bhattacharayya, Adv.
Mr. Manpreet Lamba, Adv.
for
M/s. Cyril Amarchand Mangaldas, Advs. [AOR]

Mr. Anupam Lal Das, Adv. [AOR]
Mr. Vishal Gupta, Adv.
Mr. Anirudh Singh, Adv.
Mr. Krishanu Barua, Adv.

Mr. Vishnu Sharma, Adv. [AOR]
Ms. Anupama Sharma, Adv.
Ms. Sonali Negi, Adv.

Mr. Ravindra Kumar, Adv. [AOR]

Mrs. V. Mohana, Sr. Adv.
Mr. Harish V. Shankar, Adv.
Ms. Kashvi Dutta, Adv.
Mr. Pushkar Taimni, Adv.
Mr. Syed Shahid Hussain, Rizvi, Adv.
for
Mr. Mukesh Kumar Maroria, Adv. [AOR]

Mr. Pawan Upadhyay, Adv.
Mr. Sarvjit Pratap Singh, Adv.
Ms. Sharmila Upadhyay, Adv. [AOR]

Mr. Rabin Majumder, Adv. [AOR]

Mr. Abijhan Jha, Adv.
Mr. Mayank Pandey, Adv.

Ms. Swarupama Chaturvedi, Adv. [AOR]
Mr. B.N. Dubey, Adv.
Ms. Devika Gulati, Adv.

For Applicant (s) Mr. Ravindra Srivastava, Sr. Adv.
Mr. Shiv Sagar Tiwari, Adv. [AOR]

Mr. Jayant Bhushan, Sr. Adv.
Mr. Ramakant Rai, Adv.
Mr. Syed Jafar Alam, Adv. [AOR]
Ms. Mehak, Adv.

Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. Ashwarya Sinha, AOR
Ms. Priyanka Sinha, Adv.
Mr. Srijan Sinha, Adv.
Ms. Alankrita Sinha, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Ambhoj Kumar Sinha, AOR

Ms. Praveena Gautam, Adv. [AOR]
Mr. Jitesh P. Gupta, Adv.
Mr. Pawan Shukla, Adv.

Ms. Aparna Bhat, Adv. [AOR]
Ms. Joshita M. Pai, Adv.
Mr. Mayank Sapra, Adv.

Mr. Parag Tripathy, Sr. Adv.
Mr. Honey Satpal, Adv.

Mr. Tishampati Sen, AOR
Mr. Alok Shukla, AOR
Mr. Neeraj Kumar Gupta, AOR

Mr. T.N. Durga Prasad, Adv.
Mr. G. Natarajan, Adv., Adv.
Mr. Kaushik Choudhury, Adv.
Mr. Rachit Mittal, Adv.
for
Dr. Kailash Chand, Adv. [AOR]

Ms. Anne Mathew, AOR
Mr. Himanshu Shekhar, AOR
Mr. Amit Pawan, AOR
Ms. Rashmi Nandakumar, AOR
Ms. Anannya Ghosh, AOR
Mrs. Revathy Raghavan, AOR

Mr. Dharmendra Kumar Sinha, Adv. [AOR]
Mr. Raju Sonkar, Adv.
Mr. Umeshi B. Chaurasia, Adv.

Mr. Anand Prasad, Adv.
Mr. Sandeep Devashish Das, Adv. [AOR]
Mr. Ritesh Mukherjee, Adv.
Mr. Ankit Mangla, Adv.

Mr. Anivesh Bharadwaj, Adv.
Mr. A. Lakshmi Narayanan, Adv. [AOR]

Mr. Ajit Sharma, AOR
Mr. Ashwarya Sinha, AOR
Mr. Bijoy Kumar Jain, AOR

Mr. Varinder Kumar Sharma, Adv. [AOR]
Ms. Parul Sharma, Adv.
Mr. Yugal K. Prasad, Adv.
Mr. Mohd. Shahid Hussain, Adv.

Mrs. Madhavi Divan, Adv.
Ms. Nidhi Khanna, Adv.
Mr. Ayush Puri, Adv.
Mr. Syed Shahid Hussain Rizvi, Adv.
Mr. Harish V. Shanker, Adv.
for
Mrs. Anil Katiyar, Adv. [AOR]

Mrs. Taruna Singh Gohil, AOR
Mr. Amit Sharma, AOR
Mr. Naveen Kumar, AOR

Mrs. Mangaljit Mukherjee, Adv.
Mrs. De barpita Basu Mukherjee, Adv.
Mr. Sagnik Basu, Adv.
for
Mrs. Sarla Chandra, Adv. [AOR]

Mr. Arun K. Sinha, Adv. [AOR]
Mr. Rakesh Singh, Adv.

Ms. Prerna Mehta, Adv. [AOR]
Mr. Rohit Singh, Adv.

Mr. Sachin Patil, AOR
Mr. Partha Sil, AOR

Mr. Vaibhav Kulkarni, Adv.
Ms. Kavita Jha, Adv. [AOR]
Mr. Udit Naresh, Adv.

Mr. M. A. Krishna Moorthy, AOR
Mr. K. K. Mohan, AOR
Mr. Raj Kishor Choudhary, AOR

Mr. Yadav Narender Singh, Adv. [AOR]
Mr. Philip, Adv.
Mr. Arjun Sinha, Adv.
Mr. Rajiv K. Virmani, Adv.
Mr. Atul Malhotra, Adv.
Mr. Gaurav Jain, Adv.
Mr. Yadav Narender Singh, AOR

Mr. Ashok Mathur, AOR

Ms. Shashi Kiran, Adv. [AOR]
Ms. Usha Mishra, Adv.

Ms. Shashi Kiran-in-person

Mr. Anup Jain, Adv. [AOR]
Mr. Abhishek Baid, Adv.
Mr. Praneet Das, Adv.

Mr. Yatish Moha, Adv.
Ms. Pooja, Adv.
Mr. Ravi Shanker Jha, Adv.
Mr. Kedar Nath Tripathy, Adv. [AOR]

Mr. T. Harish Kumar, AOR
Mr. Talha Abdul Rahman, AOR
Mr. Abhijat P. Medh, AOR
Mr. Pradeep Kumar Bakshi, AOR
Ms. Madhusmita Bora, AOR
Mr. Ranjan Kumar Pandey, Adv. [AOR]
Mr. Sandeep bisht, Adv.
Mr. Aditya Dhar, Adv.
Mr. Anshumaan Bahadur, Adv.

Mr. Hitesh Kumar Sharma, Adv.
Mr. S.K. Rajora, Adv.
for
Mr. Praveen Swarup, Adv. [AOR]

Mr. Shekhar Kumar, AOR
Ms. Supriya Juneja, AOR

Mr. V. Sudeer, Adv.
Mr. M.B. Ramasubba Raju, Adv.
Ms. Megha Khanna, Adv.
Mr. Balaji Srinivasan, Adv. [AOR]

Mr. Anil Nag, Adv.
Mr. Arun Singh, Adv.
Mr. Abhishek Nag, Adv.
Mr. Prashant Kumar, Adv.
Mr. Sudhir Aggarwal, Adv.
Mr. Akshay K. Ghai, Adv.
Mr. Rajeev Kumar Bansal, Adv. [AOR]

Mr. Braj Kishore Mishra, Adv.
Ms. Aparna Jha, Adv.
Mr. Abhishek Yadav, Adv. [AOR]

Mr. Amarjit Singh Bedi, AOR

Mr. Raghavendra Mohan Bajaj, Adv.
Ms. Garima Bajaj, Adv. [AOR]

Ms. Tanya Shree, Adv.
Mr. Kunwar Aditya Singh, Adv.
Mr. Ejaz Maqbool, Adv. [AOR]

Mr. P. V. Dinesh, Adv. [AOR]
Ms. Sindhu T.P., Adv.
Mr. Abhisekh Thakur, Adv.
Mr. Bineesh K., Adv.
Mr. Rajendra Beniwal, Adv.
Ms. Arushi Singh, Adv.

Mr. Arjun Garg, Adv. [AOR]
Mr. Aakash Handolia, Adv.
Mr. M. Abdullah, Adv.

Mr. Urvi Kathiala, Adv.
Mr. Sarvam Ritam Khare, Adv. [AOR]
Ms. Shweta Chaurasia, Adv.

Mr. Md. Rashid Saeed, AOR

Ms. Manjeet Chawla, Adv. [AOR]

Ms. Aanchal Tikmani, Adv.
Ms. Liz Mathew, Adv. [AOR]

Ms. Sujeeta Srivastava, AOR
Mr. Kunal Cheema, AOR
Mr. Sudhir Naagar, AOR

Mrs. Gargi Khanna, Adv. [AOR]

Mrs. K. Enatoli Sema, Adv.
Mr. Edward Belho, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. K. Luikang Michael, Adv.
Mr. A.H. Isaac Haiding, Adv.

Mr. Ajay Marwah, Adv.
Mr. Mool Singh, Adv.

Ms. Anshu Gupta, Adv.
Mr. Niraj Gupta, Adv.

Mr. Anand, Adv.
Mr. Subashis Biswas, Adv.
Mr. Abhijit Sengupta, Adv. [AOR]

Mr. Suchit Mohanty, Adv.
Mr. Shibashish Misra, Adv. [AOR]

Mr. Wajeeh Shafiq, Adv.
Mr. Dhairaj Kapoor, Adv.

Mr. Govind Jee, Adv.
Mr. Krishna Kumar Singh, Adv. [AOR]

Mr. Sunil Malhotra, Adv.
Mr. P.N. Puri, Adv. [AOR]
Mrs. Reeta Dewan Puri, Adv.
Mr. Abhishek Puri, Adv.

Mr. S.K. Bhattacharya, Adv.
Mr. L.K. Paonam, Adv.
Mr. Niraj Bobby Paonam, Adv.
Mrs. Tomthinnganbi Koijam, Adv.

Mr. Mohit Chaudhary, Adv.
Ms. Puja Sharma, Adv.
Mr. Kunal Sachdeva, Adv.
Ms. Garima Sharma, Adv.
Mr. Balwinder Sing Suri, Adv.
Mr. Imran Ali, Adv.

Dr. Lalit Bhasin, Adv.
Ms. Palak Chadha, Adv.
Ms. Shireen Shukla, Adv.
Mr. Mudit Sharma, Adv. [AOR]

Ms. Ruchi Kohli, Adv.
Mr. Sonam Sharma, Adv.
Ms. Nidhi Jaswal, Adv.
Ms. Srisht Kaul, Adv.

Mr. Anivesh Bharadwaj, Adv.
Mr. C.S. Ashri, Adv. [AOR]

Mr. Rajesh Mahna, Adv.
Mr. R. Ramanand, Adv.
Mr. Bhargava V. Desai, Adv.[AOR]
Mr. Akshat Malpani, Adv.

Mr. B.A.S. Jadon, Adv.

Mr. Apoorv Shukla, Adv.
Mr. Kunal Cheema, Adv. [AOR]

Mr. Ravi Kishore, Adv.
Ms. Prerna Singh, Adv.
Mr. Guntur Prabhakar, Adv. [AOR]

Mr. Vikas Upadhyay, Adv.
Mr. Vidit Monga, Adv.

Mr. Diptansu Jain, Adv.
Mr. Rajesh P., Adv. [AOR]

Mr. Vinay K. Parhiyar, Adv.
Mr. Binay K. Das, Adv.

Mr. Syed Rehan, Adv.
Mr. Md. Shahid Anwar, Adv.

Mr. S.S. Ray, Adv.
Mr. Vaibhav Gulia, Adv.
Mrs. Rakhi Ray, Adv.

Mr. Shashank Manish, Adv.
Mr. Shashank Shekhar Singh, Adv. [AOR]

Mr. Yunus Malik, Adv.
Ms. Renu Verma, Adv.
Ms. Farha Malik, Adv.
Mr. Samir Mali, Adv. [AOR]

UPON hearing the counsel the Court made the following

O R D E R

W.P.(C)No.744 of 2017 etc.

In pursuance of our earlier order dated 21.03.2018, respondent no.4 – Jai Prakash Associates Ltd. (JAL) has deposited the first instalment of Rs. 100 crores before the Registry of this Court. As per the said order, it is required to deposit the second instalment of Rs.100 crores by Thursday, 10th May 2018. Let the amount be deposited on or before that day.

Matter be listed on Friday, 11th May 2018 for passing further directions with regard to deposit.

That apart, as indicated in the said order, the IRP will be at liberty to finalise the resolution plan in terms of para (e) and (f) of the earlier order.

M/s. JAL is at liberty to submit a representation to the competent authority. The representation shall be considered in accordance with law. We specifically make it clear that we have not expressed any opinion on that score.

The time granted to Mr. Pawan Shree Agrawal, learned amicus curiae to prepare a projectwise chart, as indicated in the previous order dated 21st May 2018, is extended till the next date of hearing.

I.A.No.95464 of 2017 in W.P.(C)No.744 of 2017

This I.A. has been filed for grant of permission to Mr. Pankaj Gaur, Joint Managing Director of JAL, to travel to Bhutan and Nepal on multiple occasions between a period of three months.

The prayer stands allowed in terms of additional affidavit being I.A.No.95464 of 2017.

I.A.No.45331 of 2018 in SLP(C)No.24001 of 2017

This I.A. has been filed seeking permission on behalf of Mr. Sunny Gaur, Managing Director, JAL - the applicant - to travel to United Kingdom between 14th April 2018 and 30th April 2018.

Prayer, in terms of the I.A., stands allowed.

Needless to say, if the amount, as directed, is not deposited within the time granted, steps shall be taken to attach the personal properties of those directors.

The amount, if any, already deposited and lying with the Registry may be invested in a short term fixed deposit with a nationalised bank.

(Subhash Chander)
AR-cum-PS

(H.S. Parasher)
Assistant Registrar