

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).640/2026

RITA TIKKU & ANR.

Petitioner(s)

VERSUS

STATE OF HARYANA THROUGH ITS CHIEF SECRETARY & ORS. Respondent(s)

IA No. 246908/2026 - APPLICATION FOR PERMISSION
IA No. 239107/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 258367/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 241130/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 246909/2026 - CLARIFICATION/DIRECTION
IA No. 239097/2026 - INTERVENTION APPLICATION
IA No. 219469/2026 - INTERVENTION APPLICATION
IA No. 213386/2026 - INTERVENTION APPLICATION
IA No. 242584/2026 - INTERVENTION APPLICATION
IA No. 258347/2026 - INTERVENTION APPLICATION
IA No. 241114/2026 - INTERVENTION APPLICATION
IA No. 246907/2026 - INTERVENTION/IMPLEADMENT
IA No. 246872/2026 - INTERVENTION/IMPLEADMENT
IA No. 242728/2026 - INTERVENTION/IMPLEADMENT
IA No. 254418/2026 - INTERVENTION/IMPLEADMENT
IA No. 201501/2026 - MODIFICATION OF COURT ORDER

WITH

W.P.(C) No. 636/2026 (X)

IA No. 201335/2026 - MODIFICATION OF COURT ORDER

W.P.(C) No. 905/2026 (X)

W.P.(C) No. 899/2026 (X)

IA No. 246804/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 952/2026 (X)

W.P.(C) No. 962/2026 (X)

W.P.(C) No. 1026/2026 (X)

W.P.(C) No. 1021/2026 (X)

IA No. 243133/2026 - EXEMPTION FROM FILING O.T.

W.P.(C) No. 1071/2026 (X)

W.P.(C) No. 1072/2026 (X)

IA No. 254945/2026 - EXEMPTION FROM FILING O.T.

W.P.(C) No. 1029/2026 (X)

IA No. 244879/2026 - EXEMPTION FROM FILING O.T.

W.P.(C) No. 1058/2026 (X)

Date : 08-09-2026 These matters were called on for hearing today.

**CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA**

**For Petitioner(s) :Ms. Priya Hingorani, Sr. Adv.
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Mr. Sudesh R. Desai, Adv.
Mr. G.R. Bhatia, Adv.
Mr. Naseem Ahmed, Adv.
Ms. Aditi Ladda, Adv.**

**Mr. Naresh Kaushik, Sr. Adv.
Mr. Vardhman Kaushik, AOR
Mr. Dhruv Joshi, Adv.
Mr. Anand Singh, Adv.
Ms. Kavya Shukla, Adv.
Mrs. Elaisha Asher, Adv.
Mrs. P S Vijaydharni, Adv.
Mr. Arindam Sarin, Adv.**

**Mr. Aditya Parolia, Adv.
Mr. Vivek Kumar, Adv.
Mr. Akshay Srivastava, AOR
Ms. Sumbul Ismail, Adv.
Mr. Suryansh Vashisth, Adv.
Mr. Mohammed Imran Ahmed, Adv.**

**Mr. V.K. Mishra, Adv.
Mr. Irshad A Siddiqui, Adv.
Ms. Dipti Mishra, Adv.
Ms. Akarshita Mishra, Adv.
Ms. Deeplaxmi Subhash Matwankar, AOR**

**Ms. Radhika Gupta, AOR
Mr. Chaitanya Adlakha, Adv.
Mr. Saket Verma, Adv.**

**For Respondent(s) :Mr. Navin Pahwa, Sr. Adv.
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Mr. Rajat Joneja, Adv.
Mr. Arpit Dwivedi, Adv.
Mr. Manmeet Skngh Nagpal, Adv.
Mr. Manmeet Singh Nagpal, Adv.

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. Samar Vijay Singh, AOR
Ms. Sabarni Som, Adv.
Mr. Aman Dev Sharma, Adv.
Mr. Siddharth Raj, Adv.
Mr. Anil Kumar, Adv.
Mr. Anurag Gupta, Adv.
Mr. Rakesh Kumar, Adv.

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Ms. Payal Gupta, Adv.
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Mr. Krishna Sharma, Adv.

Ms. Kiran Suri, Sr. Adv.
Mr. R K Pandey, Adv.
Mr. Atul Sharma, AOR

Mr. Ajay Marwah, AOR
Mr. Swaroopanda Mishra, Adv.
Mr. Mrigank Nhardwaj, Adv.
Ms. Dhriti Sharma, Adv.
Mr. Rahul Kumar, Adv.
Ms. Shivani Singh, Adv.
Mr. Ravi Shandil, Adv.
Mr. Ravideep Badyal, Adv.

Ms. Aishwarya Mishra, AOR
Mr. Anuj Chauhan, Adv.
Mr. S.surender, Adv.
Ms. Akansha Singh, Adv.

Mr. Rakesh Kumar-i, AOR
Ms. Jyoti Khurana, Adv.
Ms. Tamanna, Adv.

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Mr. Rajan Narain, AOR

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Ms. Minoti Kumari, Adv.

for Impleader:

Mr. Shyam Divan, Sr. Adv.
Ms. Misha, Adv.
Ms. Mahima Sareen, Adv.
Ms. Kirti Gupta, Adv.
Ms. Charu Bansal, AOR

Ms. Komal Mundhra, AOR
Mr. Saurabh Agrawal, Adv.
Mr. Shantanu Singh, Adv.
Ms. Laxita Upadhyay, Adv.

Ms. Sakshi Mehley, AOR
Mr. Sajal Manchanda, Adv.

Mr. Manav Goyal, Adv.
Mr. Apoorv Agarwal, AOR

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

W.P.(C) No.1026/2026, W.P.(C) No. 1071/2026, W.P.(C) No. 1072/2026,
W.P.(C) No. 1058/2026 (It. Nos.23.6, 23.8, 23.9, 23.11)

1. Issue notice, returnable on 16.10.2026.
2. The matters be de-tagged and posted separately under different

serial numbers.

3. The amount as determined by the HRERA be also deposited with the Registry of this Court.

W.P.(C) No. 1021/2026 (It.23.7)

4. Issue notice.

5. Dasti, in addition, is permitted.

6. The matter be de-tagged and posted separately under different serial number on 16.10.2026.

Rest of the matters

7. All the applications for intervention/impleadment are allowed.

8. In a writ petition filed under Article 32 of the Constitution of India, this Court, vide order dated 13.07.2026, took note of the fact that despite payment of entire or substantial sale consideration towards their respective dwelling units, there are hundreds of homebuyers, who are running from pillar to post, either seeking refund of their entire life savings spent in the purchase of the residential apartments and/or a direction to the builder-cum-developers to complete the pending projects. In the lead case itself, the allotments took place in the year 2006, followed by Flat Buyer Agreements in 2007. Despite payment of approximately Rs.1.78 crores per flat, neither the apartments were given, nor the amounts were refunded in terms of the recovery orders passed by Haryana Real Estate Regulatory Authority (HRERA).

9. This Court also took notice of the extraordinary circumstances where orders passed by statutory authorities were being defied repeatedly, making mockery of the entire quasi-judicial system.

Consequently, certain directions were issued restraining the creation of third-party rights or delivery of possession to third parties or entering into any transaction pertaining to immovable assets of Respondent Nos. 2 and 3 - Companies, besides freezing the accounts of the Managing Director, Directors, and officers of these Companies. Certain more directions were issued on 20.07.2026, followed by our order dated 27.07.2026, wherein paragraph 4 of which reads as follows:

"4. We direct respondent Nos.2 and 3, their associated, allied, and/or subsidiary companies, and their directors and officers to furnish a list of all the cases filed against them and pending before different forums including the Supreme Court, High Court, Consumer Forum, RERA, Civil Courts or any other quasi-judicial forum. This information is required to have an estimated idea about the home buyers, who are languishing before one or the other forum against respondent Nos.2 and 3 or their associated companies. The details will also include the nature of litigation pending before different forums."

10. Besides the above reproduced directions, civil and police administration of various districts were also directed to file compliance affidavits with respect to making necessary entries in the assets of the companies in default and their promoters, so that the left-out assets could be secured for satisfying the claims of the homebuyers.

11. Eventually, on 17.08.2026, through paragraph 4 of the order, an opportunity was given to the companies in default and their subsidiaries/associates to place on record a proposal satisfying the claims of all the allottees/homebuyers, failing which it was explained that we will be constrained to constitute a High-Powered Committee for entrustment of all the responsibilities.

12. In purported compliance with the said direction, Respondent No.3, one of the suspended Directors of Respondent No.3, has filed an affidavit, which is taken on record.

13. We have gone through the contents of the affidavit, especially paragraph 4 onwards. *Prima facie*, we are satisfied that the proposal is nothing but another device to delay the completion of projects or refund of amount as per the refund orders, which have already attained finality. The proposal, instead of pacifying the aggrieved homebuyers, will further lead to their agony and distress. We are thus not inclined to accept that proposal.

14. All we wish to ensure is:

(i) Deposit of sufficient amount with the Registry of this Court to enable the proposed Court-appointed Committee to disburse the same as per the claims which have attained finality; or

(ii) Deposit of such sufficient funds with the Registry of this Court for completion of the pending projects and resultant handing over of the dwelling units in habitable condition.

15. Since the proposal put up before us does not even remotely meet with these expectations, we have no choice but to reject the same.

16. Faced with this Mr. Pahwa, learned Senior Counsel, seeks one week's more time either to submit a fresh proposal that might be acceptable to the homebuyers, who are fighting their cause before different forums including this Court.

17. We refrain, at this stage, from stating anything except to observe that it is for the builder-cum-developers in default to come out with a *bona fide* proposal, failing which a High-Powered Committee shall be constituted on the date fixed.

18. The homebuyers shall be at liberty to move an appropriate application for attachment of the shares held by the companies in default, if any, and such a prayer shall be considered based upon the proof of such shares that may be placed on record.

19. Post the matters for further consideration on 09.10.2026.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR