

ITEM NO.303

COURT NO.8

SECTION XVII-A/XVI-A

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. 8049/2023

SWARNPREET KAUR & ANR.

APPELLANT(S)

VERSUS

DLF HOME DEVELOPERS LTD. & ORS.

RESPONDENT(S)

IA No. 236269/2023 - APPLICATION FOR PERMISSION
IA No. 126482/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

WITH

C.A. NO. 7395/2024

DLF HOME DEVELOPERS LTD.

APPELLANT(S)

VERSUS

SWARNPREET KAUR & ANR.

RESPONDENT(S)

IA No. 145591/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 144500/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 144485/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 144479/2024 - STAY APPLICATION

C.A. NO. 7984/2024

DLF HOME DEVELOPERS LTD.

APPELLANT(S)

VERSUS

JOYIT BHAYANA & ANR.

RESPONDENT(S)

IA No. 147273/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

Signature Not Verified
Digitally signed by
POOJA SHARMA
Date: 2024.10.15
18:28:14 IST
Reason: I

IA No. 157354/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 152202/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 152187/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 151049/2024 - STAY APPLICATION

C.A. NO. 7985/2024

DLF HOME DEVELOPERS LTD.

APPELLANT(S)

VERSUS

MAYANK KUMAR & ANR.

RESPONDENT(S)

IA No. 148546/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 152292/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 152186/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 151044/2024 - STAY APPLICATION

C.A. NO. 448/2026

DLF HOME DEVELOPERS LTD.

APPELLANT(S)

VERSUS

L.K. DHAMIJA

RESPONDENT(S)

IA No. 151070/2024 - STAY APPLICATION

C.A. NO. 7989/2024

DLF HOME DEVELOPERS LTD.

APPELLANT(S)

VERSUS

RANJANA BHATIA

RESPONDENT(S)

IA No. 147560/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 152343/2024 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES

IA No. 152147/2024 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES

IA No. 151065/2024 - STAY APPLICATION

C.A. No. 449/2026

L.K. DHAMIJA

APPELLANT(S)

VERSUS

DLF HOME DEVELOPERS LTD.

RESPONDENT(S)

C.A. No. 8409/2024

MAYANK KUMAR & ANR.

APPELLANT(S)

VERSUS

DLF HOME DEVELOPERS LTD.

RESPONDENT(S)

C.A. No. 8408/2024

RANJANA BHATIA

APPELLANT(S)

VERSUS

DLF HOME DEVELOPERS LTD.

RESPONDENT(S)

T.P.(C) No. 3044/2025

SWARNPREET KAUR & ANR.

PETITIONER(S)

VERSUS

STATE OF HARYANA AND OTHERS

RESPONDENT(S)

Date : 12-10-2026 These matters were called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

HON'BLE MR. JUSTICE R. MAHADEVAN

For Appellant(s) :

**Item Nos.303, 303.6
303.7, 303.8, 303.9:**

Mr. Senthil Jagadeesan, Sr. Adv.
Ms. Suriti Chowdhary, AoR
Ms. Niharika S, Adv.
Ms. Arushi, Adv.
Ms. Tanya Sharma, Adv.

**Item Nos. 303.1, 303.2,
303.3, 303.4, 303.5:**

Mr. Ranjit Kumar, Sr. Adv.
Mr. Pinaki Misra, Sr. Adv.
Mr. Randeep Rai, Sr. Adv.
Mr. Rajiv Anand, Sr. Adv.
Ms. Ruby Singh Ahuja, Adv.
Ms. Seema Sundd, Adv.
Mr. Pravin Bahadur, Adv.
Mr. Rituraj Srivastava, Adv.
Mr. Jappanpreet Hora, Adv.
Mr. Mihir Baisla, Adv.
Mr. Vedant Singh Choudhary, Adv.
Mr. Aditya Singh, Adv.
For M/S. Karanjawala & Co. AoR

For Respondent(s) :

**Item Nos.303,303.6
303.7, 303.8, 303.9:**

Mr. Ranjit Kumar, Sr. Adv.
Mr. Pinaki Misra, Sr. Adv.
Mr. Randeep Rai, Sr. Adv.
Mr. Rajiv Anand, Sr. Adv.
Ms. Ruby Singh Ahuja, Adv.
Ms. Seema Sundd, Adv.
Mr. Pravin Bahadur, Adv.
Mr. Rituraj Srivastava, Adv.
Mr. Jappanpreet Hora, Adv.
Mr. Mihir Baisla, Adv.
Mr. Vedant Singh Choudhary, Adv.
Mr. Aditya Singh, Adv.
For M/S. Karanjawala & Co. AoR

Item Nos. 303.1, 303.2,
303.3, 303.4, 303.5:

Mr. Senthil Jagadeesan, Sr. Adv.
Ms. Suriti Chowdhary, AoR
Ms. Niharika S, Adv.
Ms. Arushi, Adv.
Ms. Tanya Sharma, Adv.

Respondent-in-person

Mr. Shekhar Raj Sharma, A.A.G.
Ms. Nidhi Narwal, Adv.
Ms. Srishti Jain, Adv.
Mr. Anurag Kulharia, AoR

Mr. Himanshu Satija, AoR

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. Rahul Khurana, AoR
Mr. Nikunj Gupta, Adv.
Mr. Siddharth Raj, Adv.
Ms. Bhavya Singla, Adv.
Ms. Kriti, Adv.

Mr. Akshay Amritanshu, AoR

State of Haryana

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. Shekhar Raj Sharma, A.A.G.
Mr. Samar Vijay Singh, AoR
Mr. Madhav Sinhal, Adv.
Ms. Nidhi Narwal, Adv.
Ms. Srishti Jain, Adv.
Ms. Sabarni Som, Adv.
Mr. Aman Dev Sharma, Adv.
Mr. Nikunj Gupta, Adv.
Mr. Gaj Singh Jaswal, Adv.

Mr. Pallav Shisodiya, Sr. Adv.
Ms. Rusheet Saluja, Adv.
For M/s SARC Legal, AoR

Mr. Suryaprakash V.Raju, A.S.G.
Mr. Annam Venkatesh, Adv.
Mr. Hitarth Raja, Adv.
Ms. Sairica Raju, Adv.
Mr. Shreekant Neelappa Terdal, AoR

Mr. Vidur Mohan, Adv.
Ms. Radhika Pant, Adv.
Mr. Akash Chatterjee, AoR

O R D E R

Heard learned Senior Counsel/Counsel for the parties.

2. Pursuant to the earlier order, Mr. Saurabh Gupta, IPS, Superintendent of Police, CBI, who was entrusted with the investigation has submitted his final report in a sealed cover. We have perused the same. The said report be resealed and kept on record.

3. We are not commenting on what has been stated in the said report which will be dealt with on a later date.

4. However, we find that by and large the respondent no.1-DLF Home Developers Ltd. appears to have discharged its obligation under the brochure which was floated by it while calling for booking related to the project in question. At this point, the Court pauses to indicate that one wall which has been constructed at one end, which is 147 meter long and 24 meter wide and was blocked for the reason that beyond that the land had not been acquired for making a road and it was open land belonging to private parties, whereas on the other side, there was a gate which provided *egress* and *ingress* to the residents which was

about 100 meter long and 24 meter wide which connected the said project to the 60 feet wide Sector road. It appears that in the exercise while making the project in conformity with the brochure, the wall which was a dead end, as of now, beyond which no road ever existed, has also been demolished. From the photographs we see that this may be a security risk.

5. Let a full wall be built by the respondent no.1-DLF Home Developers Ltd. till the time the land beyond that is acquired in accordance with law for the purposes of extending the road further on that side. Otherwise, for the present, we find that all amenities etc. have been put in place and nothing major remains or/is lacking in the project.

6. Mr. Rohit Bhayana, a respondent and owner of one of the flats in the said complex submits that as per the directions of the Court to hold election to the PRC, only a formality has been done, inasmuch as, the list already prepared by the existing committee has been taken into consideration and out of a total 624 buyers/owners of the flat, only 280 were on the voters list and elections have been done accordingly, and worse, for every post there was only a single nomination and actually no election has taken place. We have noted the same.

7. With regard to the role of the State Authorities which has come to the notice of this Court in the present case, a lot of course correction at the institutional level in the actual working of the departments/authorities/agencies/bodies concerned as also in the policy was/is required on an urgent basis, which clearly, has not been done. From whatever is on record, the Court finds that there has been lack of seriousness on the part of the State of Haryana, in such course correction. The Court will take that issue at a later stage. However, for the present, we are compelled to direct that the Director Town and Country Planning (DTCP); Head of the Fire Services, Gurugram; Head of the Dakshin Haryana Biji Vitran Nigam (DHBVN); Head of the Haryana Shehri Vikas Pradhikaran (HSVP) and District Registrar Firms and Societies, Gurugram, shall be physically present in Court, when the matters are listed on 02.12.2026 at 2.00 p.m.

8. When the Court was in midst of dictating the order, Mr. Pallav Shisodiya, learned Senior Counsel appearing on behalf of the newly elected PRC submitted that the election was held in terms of the bye-laws and many of the owners have taken a decision not to become a member and the voters list was also published and whoever turned up, has been made a voter.

9. Be that as it may, we find that the exercise of such election has been a total sham. Accordingly, the said election is set aside. As an interim arrangement, the PRC shall be headed by the Deputy Commissioner, Gurugram, with immediate effect. He shall take in his custody the entire records of the PRC. It shall be ensured that all amenities are run as per the requirement in law and no inconvenience is faced by any of the residents.

10. The Court will take a call on what to do further, with regard to the PRC, on the next date.

11. On the next date every officer called shall come with a personally sworn affidavit as to what policy correction or future Standard Operating Procedure has been laid down by the authorities/bodies they represent, with regard to dealing with issues in such matters.

(POOJA SHARMA)
AR-CUM-PS

(ANJALI PANWAR)
ASSISTANT REGISTRAR