ITEM NO.304 COURT NO.5 SECTION XVII-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(s).10856/2016

BHUPINDER SINGH AND ANR Appellant(s)

VERSUS

UNITECH LTD. & ORS. Respondent(s)

interlocutory application Nos. 261064/2025, 180886/2025, 251540/2025, 330110/2025, 286435/2024, 305402/2026, 305405/2026 and 9000-9002/2025 in C.A. No.10856/2016 and 16933/2026 & 7678/2026 in SLP (Crl.) No.5978-5979/2017 to be listed
IA No. 9000/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 305405/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 286435/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 305402/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 261064/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 9002/2025 - EXEMPTION FROM FILING O.T.
IA No. 251540/2025 - INTERVENTION APPLICATION
IA No. 330110/2025 - INTERVENTION/IMPLEADMENT
IA No. 180886/2025 - INTERVENTION/IMPLEADMENT
IA No. 9001/2025 - INTERVENTION/IMPLEADMENT

WITH
SLP(Crl) No. 5978-5979/2017 (II-D)

FOR impleading party ON IA 7678/2026
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 16933/2026
IA No. 16933/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 7678/2026 - INTERVENTION/IMPLEADMENT

Date : 17-11-2026 These matters were called on for hearing today.

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Mr. Dhuli Gopi Krishna, Adv.
Mr. Akshay Singh, Adv.
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Mr. Amulya Dev Mishra, Adv.
Ms. Shriji Mishra, Adv.
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Mr. Shashank Tiwari, Adv.
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Mr. Nandlal Kumar Mishra, Adv.
Mr. Onkar Nath Sharma, Adv.

Mr. Ritul Tandon, Adv.
Mr. Sahil, Adv.
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Mr. Aman Raj Gandhi- 2697, AOR
Ms. Astha Tyagi- 2368, AOR
Mr. Atishi Dipankar- 1268, AOR
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Mr. Gopal Jha- 2306, AOR
Mr. Dhananjai Jain- 2255, AOR
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Mr. Rajan Kumar Chourasia, Adv.
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Mr. Sujeet Kumar, Adv.
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Ms. Misha Rohatgi, AOR
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Mrs. Pooja Gupta, Adv.
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Mr. Sudhir Mavi, Adv.

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Mr. Partha Sil- 1682, AOR
Ms. Upasana Nath- 2426, AOR
Ms. Rashmi Nandakumar- 2190, AOR
Mr. Shantanu Krishna- 2056, AOR
Ms. Jyoti Mendiratta- 1522, AOR

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Mr. Shaantanu Jain, Adv.
Mr. Yudhisthir Bhardwaj, Adv.
Ms. Rupali Sharma, Adv.
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Mr. Rajdeep Panda, Adv.
Ms. Akshita Upadhyaya, Adv.
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Mr. Raonak Dhillon, Adv.
Mr. Ashwarya Gupta, Adv.
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Ms. Mitali Jain, Adv.

Mr. Monkish Panda, Adv.
Mr. Ayush Sharma, AOR
Mr. Anmol Jassal, Adv.
Ms. Amerita Singh, Adv.

Mr. Vaibhav Kumar- 2437, AOR
Mr. Aneesh Mittal- 2491, AOR

Mr. Archit Upadhyay-2783, AOR
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Ms. Tanvi Jain, Adv.

Mr. Avijit Mani Tripathi, AOR
Mr. Z.H. Isaac Haiding, Standing Counsel

Mr. Sameer Kulshreshtha, Adv. (Through VC)

Mr. Rohit Govil, PwC (Through VC)

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

1. Heard the learned counsel appearing for the parties.

2. In the course of today's hearing, we first looked into the Minutes of Meeting convened in the Chamber of the Secretary General of the Supreme Court of India dated 15.10.2026. This meeting was convened in pursuance of our oral directions during the hearing of these matters on 14.10.2026.

3. We had directed the Secretary General and the Registrar (Judicial) of this Court to convene a meeting with Mr. Rohit Govil, Partner, PwC and his colleagues to explore the possible solutions and deliberate upon the four issues arising from the Terms of Reference (ToR).

4. The Minutes of Meeting reads thus:-

"Minutes of the meeting held in the Chamber of the Secretary General on 15.10.2026 at 11:30 A.M.

Pursuant to the directions issued by the Hon'ble Supreme Court of India on 14.10.2026 in the above-mentioned matter, the Secretary General and the Registrar (Judicial) of this Court were directed to hold a meeting with Mr. Rohit Govil, Partner, PwC, and his colleagues to explore possible solutions and deliberate upon the four issues arising from the Terms of Reference (ToR), as directed by the Hon'ble Court, and to place an appropriate report before the Hon'ble Court.

Accordingly, a meeting was convened on 15.10.2026 at 11:30 A.M. in the Chamber of the Secretary General. The following persons attended the meeting:

1. *Dr. Ajit Atri, Secretary General.*
2. *Mr. Rajesh Sharma, Registrar (Judicial).*
3. *Mr. Rohit Govil, Partner, PwC and Pan-India Head of Stressed Assets Resolution.*
4. *Ms. Shalini Shrivastav, Partner, PwC.*
5. *Mr. Sandeep Kumar Agarwal, Director, Deals–BRS, PwC.*
6. *Mr. Lalit Singh, Legal Representative, Internal Legal Team, PwC.*
7. *Ms. Ruby Singh Ahuja, Advocate-on-Record, Karanjawala & Co., representing PwC.*
8. *Mr. Jappanpreet Hora, Assisting Counsel to Ms. Ruby Singh Ahuja.*

The following issues were deliberated upon during the meeting:

1. ***Immunity***

PwC, namely PricewaterhouseCoopers Professional Services LLP, raised the issue of immunity from civil, criminal, or administrative claims, liabilities, damages, and legal proceedings that may arise in connection with the preparation of the report pursuant to the directions of the Hon'ble Supreme Court. PwC expressed apprehension that it might be unnecessarily drawn into frivolous litigation or proceedings on account of preparing the report in compliance with the directions of the Hon'ble Court.

Accordingly, PwC requested that the Hon'ble Court consider passing an appropriate order granting immunity to PwC and any external specialist or agency engaged by it from being impleaded, summoned, or otherwise made subject to, or required to participate in, any litigation or proceeding before any court, tribunal, authority, or other forum in connection with the services rendered pursuant to the order of the Hon'ble Court.

PwC further requested that any scrutiny, review, consideration, or assessment of the report submitted

pursuant to the said order be undertaken exclusively by the Hon'ble Supreme Court of India and that the report not be challenged before any other court or quasi-judicial authority.

The aforesaid request is placed before the Hon'ble Court for its consideration and appropriate orders.

2. Disclaimer, Retention of Documents and Invoicing

A. Disclaimer *[Paragraph 3(C) of the Terms of Reference] PwC clarified that the report would be prepared solely on the basis of the data and documents furnished by the Company, Unitech Ltd. (Respondent). PwC stated that it would not independently verify the authenticity or veracity of the data and documents furnished by the Company or independently ascertain the accuracy of the facts stated therein.*

PwC requested that the aforesaid limitation regarding the scope of its examination and verification be taken on record by the Hon'ble Court and appropriately reflected in its order.

B. Retention of Documents *[Paragraph 3(D) of the Terms of Reference] PwC expressed the need to retain copies of all materials and working papers relevant to the preparation of the report, including materials and documents furnished by the parties concerned, in accordance with the applicable Terms of Reference.*

After deliberations, it was requested that PwC be permitted to retain copies of such materials, documents, and working papers for future reference and record purposes, subject to the directions of the Hon'ble Court.

C. Invoicing and Disbursement of Fees : *PwC requested that a single lender be identified against whom the invoice for its professional fees could be raised.*

Alternatively, it was suggested that the lenders referred to in paragraph 8 of the order dated 27.05.2026 may deposit the requisite fee with the Registry of the

Hon'ble Court, which could thereafter disburse the amount to PwC upon completion of the respective milestones.

Accordingly, it was requested that the Hon'ble Court consider passing an appropriate order directing the concerned lenders to deposit the requisite amount with the Registry of the Court, with disbursement to PwC to be made in accordance with the milestones specified in paragraph 3 of the Terms of Reference.

The aforesaid proposals regarding invoicing and disbursement of fees are placed before the Hon'ble Court for consideration and appropriate directions.

3. Conflict of Interest: *PwC informed the undersigned that it provides various professional services to several lenders whose names are set out in paragraph 8 of the order dated 27.05.2026 passed by the Hon'ble Court. PwC stated that such services are rendered through different teams and that it may continue to provide services to these lenders in the future.*

PwC clarified that these existing and potential professional engagements should not, by themselves, be construed as constituting a conflict of interest in relation to the preparation of the report pursuant to the directions of the Hon'ble Supreme Court.

After due deliberation, it was considered appropriate to place the aforesaid concern before the Hon'ble Court for its consideration and appropriate directions. It was further suggested that the Hon'ble Court may consider recording, by way of an appropriate order, that the assignment be treated as a special project undertaken under the supervision of the Hon'ble Supreme Court.

4. Real Estate Valuation : *PwC clarified that the valuation of real estate would be undertaken with the assistance of an external specialist/valuer. PwC requested that the professional fee of ₹375 lakh should not include*

the costs and fees associated with engaging such external specialist/valuer."

5. In wake of the aforesaid, we pass the following directions:-

(i) We grant immunity to PwC and any other external specialist or agency engaged by it from being impleaded, summoned or otherwise made subject to, or required to participate in any litigation or proceeding before any court, tribunal, authority or other forum in connection with the services that may be rendered in pursuance of the order of this Court.

(ii) Any scrutiny, review, consideration or assessment of the report that may be submitted pursuant to our order shall be looked into only by this Court and not by any other court and any report that may be filed would not be challenged before any other court or quasi-judicial authority.

(iii) The disclaimer claimed by PwC in terms of paragraph 3(C) of the Terms of Reference (ToR) is granted. To put it in other words, the same is granted in the following terms:-

"A. Disclaimer [Paragraph 3(C) of the Terms of Reference] PwC clarified that the report would be prepared solely on the basis of the data and documents furnished by the Company, Unitech Ltd. (Respondent). PwC stated that it would not independently verify the authenticity or veracity of the data and documents furnished by the Company or independently ascertain the accuracy of the facts stated therein.

PwC requested that the aforesaid limitation regarding the

scope of its examination and verification be taken on record by the Hon'ble Court and appropriately reflected in its order."

To clarify a little further, all stakeholders who shall be furnishing the relevant documents/ data/ information to the PwC or any other record shall be by way of an affidavit on oath duly affirming to the correctness of the contents of such documents. Once such information comes on record, it shall be for the PwC thereafter to look into the same and act upon it. At the same time, we expect the PwC to also make or undertake a reasonable review of such information that may be furnished on oath.

(iv) We permit the PwC to retain copies of all materials and working papers relevant to the preparation of the report, including materials and documents furnished by the parties concerned in accordance with the applicable Terms of Reference. The stakeholders are, however, free to take the confidentiality agreement from PwC.

The PwC further informs that it may be providing professional services to several lenders, some of whom are directly involved in this particular litigation. We clarify that such existing and potential professional engagements shall not by themselves be construed as constituting a conflict of interest in relation to the preparation of the report in pursuance of the directions issued by this Court.

However, with a view to bring transparency, PwC may declare/ disclose if they are rendering any professional services to any of the lenders involved in this particular litigation. Such information shall be furnished by PwC in a sealed cover to the Unitech Board. This shall apply to all future engagements also.

We clarify that this assignment to PwC shall be treated as a special project undertaken under the supervision of this Court.

(v) The professional fee as disclosed in the Minutes referred to above shall not include the costs and fees associated for the purpose of engaging any external specialist/valuer. We expect the PwC to exercise some due diligence when it fixes fees for external agency.

Insofar as the professional fees to be paid to PwC is concerned, we take notice that the following lenders are involved in this litigation:-

(i) JM Financial ARC

(ii) Suraksha ARC

(iii) Edelweiss ARC

(iv) IDBI Bank

(v) Canara Bank

(vi) LIC

(vii) SREI Equipment Finance Ltd.

(viii) IL&FS

(ix) HDFC Ltd. and HDFC Bank

(x) Bank of Maharashtra

(xi) SICOM

We direct the first 09 lenders, namely JM Financial ARC, Suraksha ARC, Edelweiss ARC, IDBI Bank, Canara Bank, LIC, SREI Equipment Finance Ltd., IL&FS and HDFC Bank to deposit Rs.60,00,000/- (Rupees Sixty Lakh only) each with the Registry of this Court within a period of two weeks from today. On such deposit, the Registry shall invest the entire amount with any nationalized bank by way of a short-term interest bearing fixed deposit on auto renewal basis. As and when the amount falls due to be paid to PwC in accordance with the schedule, the Registry shall disburse the amount accordingly. It is needless to observe that all actions at the end of the PwC shall be in accordance with law.

6. In the course of today's hearing, we were informed by Mr. N. Venkatraman, the learned ASG that new Managing Director has taken over as the Chairperson of the Unitech Board. According to Mr. Venkatraman, the new Managing Director has undertaken some substantial and important exercise as regards inventory valuation. We have been provided with a chart, highlighting project and non-project land inventory valuation. We have been made to understand that the land insofar as at serial nos. 1.1 to 1.11, respectively are concerned, they are free of all encumbrances. There is no charge of any nature over these parcels of land.

7. Insofar as serial nos. 2.1 to 2.4, respectively are concerned,

they are non-project encumbered land.

8. So far as serial nos. 3.1 to 3.9, respectively are concerned, they are all disputed parcels of land.

9. So far as serial nos. 4.1 to 4.9, respectively are concerned, they are un-utilized FSI project land.

10. So far as serial nos. 5.1 to 5.3, respectively are concerned, they are project receivables and in the last, serial nos. 6.1 to 6.3, respectively is the market value of Unitech's investment in joint ventures.

11. What we have been able to understand from the chart referred to above is that the total value of all parcels of land encumbered and unencumbered is estimated today to the tune of Rs.71,967.25 crore along with receivables and inventories.

12. As regards the aforesaid, Mr. Venkatraman brought to our notice that some of the projects, the details of which are as under are nearing completion.

S. No.	**Project Name**	**Total Units**	**Sold Units**
Gurugram			
1.	Vistas a. Tower A1 to A11 b. Tower B1 to B5 c. Tower E1 to E2	1007	979
Greater Noida			
2.	Cascade	356	344
3.	Horizon	1138	1128
4.	Habitat a. Tower – 1, 3, 4, 6 & 8	902	773
5.	Verve	363	318
Mohali			

6.	Singleton Floors	27	26
7.	Executive Floors	156	147
8.	Unihomes	171	164
9.	Gardens	256	162
10.	Aspen Green	1043	883
11.	Boulevard		
Bhubaneshwar			
12.	Bhubaneshwar One	250	181
Commercial projects			
13.	Habitat corner, Greater Noida	54	42
	Total	**5723**	**5147**

According to Mr. Venkatraman, the projects referred to above can be completed within a period of six months from today and genuine home buyers can be allotted or rather put in possession of their respective units. However, to complete the above referred projects, the Board needs at least rupees 500 crore for the present and for this purpose, Mr. Venkatraman made an earnest appeal before us to allow the Board to sell some of the unencumbered parcels of land, i.e., from serial nos. 1.1 to 1.11, respectively in the chart referred to above are concerned.

13. Insofar as unencumbered parcels of land are concerned, there should not be any difficulty to permit the Board to put them for sale and raise the necessary finance. However, as of abundant caution, we request Mr. Venkatraman to provide one copy of this chart, more particularly, the details of unencumbered parcels of land to each of the stakeholders/ lenders so as to verify if they have to say anything as regards their claim. Let this exercise be completed within a period of two days from today.

14. Once the picture is clear insofar as unencumbered parcels of land are concerned, we shall proceed to pass further orders on the next date of hearing.

15. In the last, Mr. Venkatraman brought to our notice the affidavit filed on behalf of Respondent No.3. This affidavit has been affirmed by Assistant Commissioner of Police-I, Noida, Commissionerate Gautam Buddh Nagar, in pursuance of our order dated 14.10.2026. The affidavit reads thus:

"AFFIDAVIT ON BEHALF OF RESPONDENT NO.3 IN COMPLIANCE OF THE ORDER DATED 14.10.2026

I, Praveen Kumar Singh S/o Shri. Suresh Chandra Singh, aged about 37 years, Currently posted as Assistant Commissioner of Police-1, Noida, Commissionerate Gautam Buddha Nagar, presently at Gautam Buddha Nagar, Uttar Pradesh, do solemnly affirm and state as under:

1. That I am posted as above thus I am well conversant with the facts and circumstances of the case as revealed from the records on file which I believe to be true and I am competent to swear this affidavit.

2. It is submitted that by the order dated 14.10.2026 passed in the captioned matter, this Hon'ble Court issued certain directions which are as follows:

> *7. We are informed by some of the learned counsel appearing in the matter that many open plots of the company have been encroached upon. This is something very serious. And if the encroachment continues, it will be difficult one fine day to remove the encroachment all of a sudden.*
> *8. In such circumstances, we request the learned counsel appearing for the Board to give a list of all those properties over which there is illegal encroachment to the CEO NOIDA and one copy to the Police Commissioner, Gautam Buddh Nagar.*
>
> *9. We direct the Police Commissioner, Gautam Buddh Nagar, CEO NOIDA and the District Magistrate, Gautam Buddh Nagar to ensure that each and every encroachment on these plots are removed at the earliest. An appropriate report in this regard be filed before us by the next date of hearing.*

10. The encroachment should not hamper the further progress, insofar as the construction work which is to commence is concerned. We are talking about the encroachments in Sectors 96, 97 and 98, respectively, Noida under the name of Maya Nagar. The Police Administration to act immediately.

3. It is most submitted that after the abovesaid order, the Office of the Deputy Commissioner of Police, Noida vide its letter dated 17.10.2026 directed the Assistant Commissioner of Police-1, Noida to file a compliance report before the date fixed for hearing, i.e., 17.11.2026.

4. It is submitted that the deponent herein i.e. office of the Assistant Commissioner of Police-First, Noida, Gautam Buddhnagar vide its letter dated November 01, 2026 has informed the Deputy Commissioner of Police, Noida Gautam Buddhnagar that for the effective and time-bound compliance of the said order, the role of the NOIDA Development Authority is extremely vital and without information regarding the actual status of encroachment, the area of encroached land, demarcation of plots, details of encroachers, and the action taken by the Authority regarding the removal of encroachments, it is not possible for the police administration to arrange the necessary police deployment and prepare a proper compliance report. The office of deponent made a request (sic) to correspond with the Chief Executive Officer, NOIDA Development Authority, and the District Magistrate, Gautam Buddhnagar, so that required action for compliance of the order passed by this Hon'ble Court on 14.10.2026 may be taken timely.

5. It is submitted that Office of the Deputy Commissioner of Police, Noida, Commissionerate Gautam Buddhnagar, U.P. vide its letter dated 04.11.2026 to the Chief Executive Officer NOIDA Development Authority, Gautam Buddhnagar, again intimated that without information regarding the actual status of encroachment, the area of encroached land, demarcation of plots, details of encroachers, and the action taken by the Authority regarding the removal of encroachments, it has not been possible for the police administration to prepare the necessary police arrangements.

6. It is submitted that on 09.11.2026, another letter was sent to the CEO, Noida Development Authority, and District Magistrate, Gautam Buddhnagar, reiterating that without details regarding the actual status of encroachment etc. it is not possible for the police administration to arrange necessary police forces and it was again requested that instructions be issued to the concerned authorities to take requisite action regarding compliance of the order dated 14.10.2026.

7. It is submitted that in response to the abovesaid letters no reply has been received from the Chief Executive Officer, Noida Development Authority, Gautam Buddhnagar, nor has any requisition letter for police assistance to remove the aforementioned encroachments been received.

8. It is most respectfully submitted that in compliance of the order dated 14.10.2026 passed by this Hon'ble Court, the office of deponent is duty bound to provide all the necessary police force immediately to Noida Development Authority to remove encroachments whenever it is required.

9. It is submitted that for effective and timely compliance with the order dated 14.10.2026 passed by this Hon'ble Court, the role of Noida Development Authority is crucial and no correspondence requesting police force has been initiated by the Noida Development Authority regarding the actual encroachment situation, area of encroached land, demarcation of plots, details of encroachers, or actions taken to clear encroachments. Therefore, for the purpose of compliance of the order to remove the above encroachments, office of Commissioner is awaiting for the response from the office Noida Development Authority.

10. It is respectfully submitted that the office of Commissioner, District Gautambudh Nagar is duty bound to comply with the direction issued by this Hon'ble Court.

11. It is submitted that on the facts and circumstances stated above, the present affidavit is being filed in compliance of the order dated 14.10.2026 passed by this Hon'ble Court.

12. It is submitted that the deponent undertakes to file any other affidavit if directed by this Hon'ble Court in further course of hearing."

16. The grievance redressed today by the Respondent No.3 is that although they are duty-bound to act in accordance with the directions issued by this Court and see to it that the encroachments are removed at the earliest, however, they want some cooperation/ assistance from NOIDA. We request Mr. Ravindra Kumar, the learned senior counsel appearing for NOIDA, to look into the affidavit filed on behalf of the Respondent number three and extend full cooperation to the police/ District Magistrate. Gautam Buddh Nagar to enable them to act fast for removal of encroachments from different parcels of land.

17. We have five interlocutory applications today before us. In so

far as I.A. No.261064 of 2025 is concerned, the same has been filed by one of the home buyers, namely Ms. Sunaina Goenka. Ms. Goenka is a 77 year old lady. She had paid rupees 25 lakh for purchase of a flat in the concerned tower way back in the year 2016. We are informed that this building is absolutely ready. There is power connection, there is water connection, and most of the flats are being occupied. Today, the learned counsel appearing for the Board raised issues about environment clearance, etc. If the building is ready and other home buyers are already put into possession and they are occupying, there should not be any problem in putting Ms. Sunaina Goenka also in possession. We direct the Board to ensure that the applicant is put into possession of the concerned flat within a period of two weeks from today. The applicant shall be put into possession on the strength of a provisional occupation certificate. We make it clear that the necessary conveyance deed shall also be executed the same way in which the conveyance deed insofar as other occupants are concerned of the same building. I.A. No.261064/2025 stands disposed of accordingly.

18. List the I.A. No.180886/2025 in due course.

19. I.A. Nos.251540/2025 and 330110/2025 are dismissed.

20. We request the learned counsel appearing for the Board to furnish necessary information by the next date as regards repayment of matured fixed deposit of small depositors, including senior citizens.

21. List the I.A. Nos. 197133/2022, 305405/2026, 305402/2026 & 286435/2024, 9000-9002/2025, 45452/2026 & 45453/2026 & 135375/2026,

120616/2025 & 131588/2025, 56854/2026 & 104281/2026, 116163/2021, 123861/2021, 70119/2026 & 70121/2026, 70200/2026 & 70202/2026, 70205/2026 & 70206/2026, 71688/2026 & 71689/2026, 71693/2026 & 71694/2026, 71842/2026 & 71843/2026, 75256/2026 & 75257/2026, 75411/2026 & 75412/2026, 75416/2026 & 75417/2026, 85885/2026 & 85886/2026, 91749/2026 & 91751/2026, respectively on Friday, the 20th November, 2026.

(HARPREET KAUR)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)