

ITEM NO.50

COURT NO.1

SECTION X

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).160/2024

NITIN LALI & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA No. 32273/2026 - CLARIFICATION/DIRECTION, IA No. 174144/2026 -
CONDONATION OF DELAY IN FILING THE SPARE COPIES, IA No. 279400/2025
- CONDONATION OF DELAY IN FILING THE SPARE COPIES, IA No.45146/2024
- EXEMPTION FROM FILING O.T., IA No. 10367/2026 - EXEMPTION FROM
FILING O.T., IA No. 212284/2026 - INTERVENTION/IMPLEADMENT, IA No.
10366/2026 - INTERVENTION/IMPLEADMENT, IA No. 5687/2026 -
INTERVENTION/IMPLEADMENT, IA No. 33716/2025 - PERMISSION TO FILE
ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 295138/2024 -
PERMISSION TO FILE SUPPLEMENTARY ADDITIONAL COUNTER
AFFIDAVIT/AFFIDAVIT

WITH

W.P.(C) No. 280/2024 (X)

IA No. 104147/2024 - EXEMPTION FROM FILING O.T.

W.P.(C) No. 794/2024 (X)

IA No. 274587/2024 - EXEMPTION FROM FILING O.T., IA No. 142753/2026
- PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 805/2024 (X)

IA No. 301395/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 173/2025 (X)

IA No. 231606/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 187090/2025 - EXEMPTION FROM FILING O.T.

IA No. 173749/2025 - EXEMPTION FROM FILING O.T.

IA No. 50817/2025 - EXEMPTION FROM FILING O.T.

W.P.(C) No. 703/2025 (X)

IA No. 260426/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA
No.282098/2025 - CONDONATION OF DELAY IN FILING THE SPARE COPIES,
IA No. 174517/2025 - EXEMPTION FROM FILING O.T., IA No. 15260/2026
- PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

W.P.(C) No. 53/2026 (X)

IA No. 14999/2026 - EXEMPTION FROM FILING O.T.

IA No. 14997/2026 - GRANT OF INTERIM RELIEF

Date : 24-08-2026 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

Mr. Rajiv Jain, Amicus Curiae
Mr. Amarendra Kumar, Amicus Curiae
Mr. Alabhya Dhamija, AOR
Mr. Arjun Aggarwal, Adv.
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Ms. Mahima Pandey, Adv.
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Mr. Surya Pratap Tyagi, Adv.

For Petitioner(s) : Mr. Rajiv Kumar Virmani, AOR
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Mr. Kaustubh Rai, AOR
Mr. Shivendra Pandey, Adv.
Mr. Tushan Rawal, Adv.
Mr. Pulkit Shree, Adv.
Ms. Rishika, Adv.

Ms. Asha Gopalan Nair, AOR
Ms. Nivedita Nair, Adv.

Mr. Sukant Vikram, AOR

Mr. Ankit Yadav, AOR
Ms. Gunjan Rathore, Adv.
Ms. Shivangi Gulati, Adv.
Mr. Chaitanya Sonkeria, Adv.
Ms. Aastha Harshwal, Adv.
Mr. V. Sarvesh Tripathi, Adv.
Mr. Areeb Husain, Adv.

Ms. Smita Maan, AOR

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Ms. Kavita Joshi, Adv.
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For Respondent(s) :Mr. K.M. Nataraj, A.S.G.
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Mrs. Disha Thakkar, Adv.
Mr. Shailesh Madiyal, Adv.
Ms. Aarushi Singh, Adv.
Ms. Satvika Thakur, Adv.
Mr. Adarsh Kr.pandey, Adv.
Mr. Yogya Rajpurohit, Adv.
Mr. Aditya Dixit, Adv.
Mr. Bhuvan Kapoor, Adv.
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Mr. Samar Vijay Singh, Adv.
Mr. Akshay Amritanshu, AOR
Ms. Payal Gupta, Adv.
Mr. Nikunj Gupta, Adv.
Mr. Rony John, Adv.
Mr. Sarthak Srivastava, Adv.
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Mr. Harsh Kumar Singh, Adv.

Mr. Alok Sangwan, Sr. A.A.G.
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Mr. Lokesh Sinhal, Sr. A.A.G.
Dr. Hemant Gupta, A.A.G.
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Mr. Rajat Sangwan, Adv.
Mr. Samar Vijay Singh, AOR
Ms. Payal Gupta, Adv.
Mr. Vaibhav Yadav, Adv.
Mr. Rony John, Adv.
Mr. Harsh Mehla, Adv.
Ms. Sabarni Som, Adv.
Ms. Divya Sharma, Adv.
Mr. Aman Dev Sharma, Adv.
Mr. Ankur, Adv.
Mr. Dhruv Lamba, Adv.
Mr. Rajesh Pratap, Adv.
Dr. Mansi Jain, Adv.
Ms. Bhoomika, Adv.
Ms. Koel Mukherjee, Adv.
Mr. Harsh Kumar Singh, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. Anil Kaushiik, A.S.G.
Mr. Annam Venkatesh, Adv.
Mr. Zoheb Hussain, Sr. Adv.

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Mr. Naveen Sehrawat, Adv.
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Mr. Aditya Dahiya, Adv.
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Mr. Srajan Sinha, Adv.
Mr. Uddeshya Kumar Jha, Adv.

Ms. Shloka Vaidialingam, Adv.
Mr. Shivain Vaidialingam, Adv.

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

1. These petitions, at the instance of the homebuyers, seek a direction to respondent no.6 - M/s Mahira Buildtech Private Limited, as well as to the authorities of the State of Haryana, to complete the various planned housing projects under the affordable housing policy of the State of Haryana.
2. To explicate, the Mahira Homes projects comprise 5292 residential units in five projects, comprising 42 residential towers. It is a matter of record that the projects were to commence in the year 2017-2018 and the builder was obligated to complete and hand over possession by the end of 2021. It is also undeniable that while the project in Sector 68 is completed up to 75%, that in Sector 103 is completed only up to 15%. The petitioner-homebuyers have alleged that the entire amount of allotment price has been taken from them, and the respondent-builder has siphoned away these monies, leaving the projects incomplete.
3. At this stage, the issue with which we are primarily concerned is to explore the modalities for completion of the pending projects. The homebuyers have suggested that an entity under the Government of India, such as the NBCC, may be entrusted to take over the projects and complete the same.
4. Learned Senior Counsel/Counsel for the parties are agreeable that a fair enhancement in the allotment price may be effected so that a corpus of funds can be created for an entity like NBCC or any other builder-cum-developer, who might be inclined to complete

the pending projects under the supervision of a Committee that may be constituted by this Court.

5. We, therefore, request Ms. Rajiv Jain, learned *Amicus Curiae*, to contact NBCC or any other Government undertaking, which is willing to complete the pending projects. Let the terms and conditions on which the proposal would be acceptable to them also be ascertained, so that the agreement of the homebuyers can also be sought.

6. Learned *Amicus* may also consider the material on record, including the reports said to have been submitted by the Enforcement Directorate, to identify the unencumbered assets of the defaulting builder. The appropriate directions in that regard will be issued after a report on the same is submitted by the learned *Amicus*.

7. Meanwhile, learned counsel for the homebuyers will also have instructions regarding the above proposal. Since the Affordable Housing Policy has been evolved by the State of Haryana and the rate of allotment of such scheme is implemented under the supervision of the State Authorities, we direct the State of Haryana also to explore as to whether the pending project can be completed by a State Agency like the Housing Board Haryana or Haryana Shehri Vikas Pradhikaran (HSVP).

8. Unfortunately, no one has entered appearance on behalf of the State today. The Registry is directed to inform the Standing Counsel of this order, who shall have instructions and remain present in Court on the next date of hearing.

9. Meanwhile, we also deem it appropriate to direct the District

Town and Country Planning, Gurugram (DTCP), to prepare an exhaustive statement of the entire inventory regarding all the projects, including the allotments made as well as the inventory available for allotment, and submit a comprehensive report before this Court. For that, the DTCP is permitted to summon the builder's record. This report shall also be furnished to the learned *Amicus* to enable him to place the accurate state of affairs before the NBCC/other entity(s).

10. Meanwhile, there shall be a stay on any further allotments of units in the subject projects.

11. Post the matters on 13.10.2026.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(NIKITA SINGH)
COURT MASTER (NSH)