

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

SPECIAL LEAVE PETITION (CIVIL) Diary No. 46595/2024

[Arising out of impugned final judgment and order dated 09-08-2024 in GA-COM No. 2/2024 09-08-2024 in GA-COM No. 3/2024 09-08-2024 in EC No. 91/2023 passed by the High Court at Calcutta]

SILIGURI JALPAIGURI DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

BENGAL UNITECH UNIVERSAL SILIGURI PROJECTS LIMITED Respondent(s)

(IA No. 299119/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 33565/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 10359/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 278692/2025 - CLARIFICATION/DIRECTION, IA No. 304194/2026 - CLARIFICATION/DIRECTION, IA No. 17225/2025 - CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS, IA No. 10585/2026 - EX-PARTE STAY, IA No. 17222/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 299120/2026 - INTERVENTION/ IMPEADMENT, IA No. 10581/2026 - INTERVENTION/ IMPEADMENT, IA No. 163571/2025 - INTERVENTION/IMPEADMENT, IA No. 304171/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 26-10-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

For Petitioner(s) Mrs. Madhavi Divan, Sr. Adv.
 Mr. Kunal Mimani, AOR
 Ms. Shraddha Chirania, Adv.
 Mr. Akshay Luthra, Adv.

For Respondent(s) Mr. Siddharth Batra- 2619, AOR
 Mr. Chinmay Dubey, Adv.
 Ms. Shivani Chawla, Adv.
 Mr. Akshit Lunial, Adv.
 Mr. Mehul Gulati, Adv.
 Mr. Bhavya Bachani, Adv.

Mr. Ashok Kumar Jain, Adv.
Mr. Pankaj Jain, Adv.
Mrs. Meenakshi Jain, Adv.
Mr. Shashank Jain, Adv.
Mr. Bijoy Kumar Jain- 92, AOR

Mr. Kumar Aryan, Adv.
Ms. Geetika, Adv.
Mr. Dhawesh Pahuja, AOR

Mr. Rohit Dutta, Adv.
Mr. Anas Tanwir, AOR

Mr. Gopal Shankarnarayan, Sr. Adv.
Mr. Soumya Dutta- 2537, AOR
Mr. Kanishk Garg, Adv.
Mr. Siddhant Upmanyu, Adv.
Ms. Nisstha Balodia, Adv.
Mr. Sitesh Kumar Gupta, Adv.
Ms. Akshaya Ganpath, Adv.

Mr. Zoheb Hossain, Sr. Adv.
Mr. Nipun Katyal, Adv.
Mr./Ms. Aishwarya Mishra, Adv.
Mr. Dhananjay Kumar, Adv.
Mr. Manan Sharma, Adv.
Mr. Pranjal Tripathi, Adv.
Mr. Nikchen Tamang, Adv.
Mr. Satyam Prakash, Adv.
Mr. Abhishek Mishra, Adv.
Mr. Aditya Bhura, Adv.
Mr. Shashank Shekhar, AOR

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

1. By way of I.A. No. 326934/2026, we are informed that the Siliguri Jalpaiguri Development Authority¹ successfully held the auction on 08.10.2026. The report of the learned Observer, Mr. Krishna Murari Prasad Gupta, has also been received.
2. We are further informed that the land in question was split up into two parcels, that is, Part-A and Part-B, each admeasuring 46.48 acres. There is no dispute with regard to the process insofar as the auction of land in Part-B is concerned. We, accordingly, confirm the auction held on 08.10.2026 insofar as

1 For short "SJDA"

it pertains to the land in Part-B. The SJDA is at liberty to proceed further in relation to the said auction process.

3. I.A. (Diary) No. 324595/2026 was filed by M/s. MLA Infra Projects LLP claiming that it was not allowed to participate in the auction apropos the land in Part-A on a technical ground and it is willing to outbid the highest bid of ₹265 crore for the land in Part-A by another 20 crores. It would be necessary to examine the claim of this applicant as the SJDA should be allowed to receive the best possible price. The impleadment application is, accordingly, ordered and M/s. MLA Infra Projects LLP is brought on record as a party respondent in these special leave petitions.
4. Insofar as I.A. No. 324736/2026 filed by the newly impleaded respondent is concerned, we are of the opinion that its *bonafides* need to be tested. M/s. MLA Infra Project LLP shall, accordingly, deposit a sum of ₹20 crores with the SJDA within three days from today towards the Earnest Money Deposit (EMD), that was paid by it earlier but was returned thereafter.
5. Further, M/s. MLA Infra Projects LLP shall deposit with the SJDA 20% of the offered bid amount of ₹265 crores within one month.
6. The balance amount, being the 80% component of the sum of ₹265 crores, shall be deposited with the Registry of this Court within a period of three months from today.
7. It would be necessary to allow the highest bidder for the land

- in Part-A, i.e., M/s. Authum Investment & Infrastructure Limited, to have an opportunity to outbid the offer of the newly impleaded respondent. M/s. Authum Investment & Infrastructure Limited is, therefore, impleaded as a party respondent in these special leave petitions.
8. Cause titles of these special leave petitions shall be amended in view of the impleadments in terms of this order.
 9. Issue notice to the newly impleaded respondent, M/s. Authum Investment & Infrastructure Limited, by all modes, including *dasti*.
 10. We are informed that the applicant in I.A. (Diary) Nos. 10581/2026, 10585/2026 and 304194/2026 has already approached the High Court seeking to assert rights in a portion of the land that has been put to auction by the SJDA. As the matter is *sub judice* before the High Court, it is for the applicant to pursue the same to its logical conclusion. The orders passed in these special leave petitions shall have no impact thereon and the case filed by the applicant shall be considered on its own merits and in accordance with law.
 11. A copy of I.A. (Diary) No. 326873/2026 shall be furnished to the learned counsel appearing for the award-holder.
 12. The remuneration payable to the learned Observer shall be released to him within a period of one week from today, if not already paid. We place on record our appreciation and gratitude to the learned Observer for undertaking the exercise at our

request.

13. **The amount as and when received by the SJDA towards the 20% component shall be deposited with the Registry of this Court. On such deposit being made, the Registry shall invest the same in an interest-bearing Fixed Deposit in a nationalized bank for a period of six months with an auto-renewal clause.**
14. **Re-list on 28.11.2026.**

**(BABITA PANDEY)
AR-CUM-PS**

**(PREETI SAXENA)
COURT MASTER (NSH)**