

ITEM NO.301

COURT NO.4

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. 10856/2016

BHUPINDER SINGH

Appellant(s)

VERSUS

UNITECH LTD. & ORS.

Respondent(s)

[THE MATTER IS LISTED ALONG WITH I.A. NOS. 104665 & 104666 of 2026]

IA No. 104666/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 104665/2026 - INTERVENTION APPLICATION

WITH

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

Date : 16-09-2026 These matters were called on for hearing today.

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

I.A. Nos. 104665 and 104666 of 2026:

1. Mr. Navin Pahwa, the learned senior counsel appearing for the NARCL has instructions from his client not to press these Interlocutory Applications at this stage.
2. The I.A. Nos.104665 and 104666 of 2026 are, accordingly, dismissed as not pressed at this stage.

I.A. No.95975 of 2021

3. The learned counsel Ms. Shivani Bhusan has instructions from her client(s) not to press this I.A. and withdraw the same.
4. The same is dismissed as not pressed.
5. We looked into the office report dated 15.9.2026 in SLP(Crl.) Nos. 5978-79 of 2017.
6. We also heard Ms. Pritha Srikumar Iyer, the learned counsel appearing for the applicant.
7. By our order dated 16.1.2025, we had observed the following in paras 6 and 7, respectively as under:-

"6. Since 39 home-buyers/customers have been refunded 100% of their principal amount and one more customer/home-buyer has been granted refund, it goes without saying that the 40 units allotted to them will revert to M/s Pioneer Urban Land and Infrastructure Limited free from all encumbrances

qua these allottees. M/s Pioneer 31 Urban Land and Infrastructure Limited will be at liberty to appropriate those units in the manner as it may deem fit.

7. The set of documents deposited by 39 customers-cum-homebuyers with the Registry of this Court, seeking refund, may be handed over to M/s Pioneer Urban Land and Infrastructure Limited to enable them to complete their records."

8. The learned counsel would submit that although in para 7 there is a reference of 39 customers-cum-home buyers, yet the correct figure is 20. The title deeds of 20 customers-cum-home buyers have been deposited with the Registry.

9. The Registry shall handover all those 20 title deeds to *M/s. Pioneer Urban Land and Infrastructure Limited* to enable them to complete their records.

10. In the course of today's hearing, we extensively heard Mr. Annam Venkatesh, the learned counsel appearing for the Enforcement Directorate (for short, "the E.D."), Ms. Anubha Agrawal, the learned counsel appearing for the Board, and Ms. Rebecca John, the learned senior counsel, respectively, insofar as the status of criminal prosecution against the Directors of UNITECH is concerned.

11. What we have been able to understand is that the Criminal prosecution against the Directors is in two parts: one set of prosecution is at the instance of ED under the provisions of PMLA, and the other set of prosecution is under the IPC offences wherein E.O.W. undertook the investigation, and filed charge sheet in 63 different cases.

12. To put it in other words, 63 distinct FIRs were investigated, charge-sheets were filed in each of these FIRs which has culminated in 63 different Criminal cases. The prosecution for the scheduled offence is pending before the Chief Judicial Magistrate, Saket Court, Delhi, whereas the PMLA proceedings are pending before the Special Judge, Patiala House Court, New Delhi.

13. We were also given to understand by the learned counsel appearing for the ED that one application has been filed by ED under Section 44 (1) (c) of the PMLA Act, 2002 requesting the Saket Court to transfer all those 63 cases to the PMLA Court, i.e., at the Patiala House Court.

14. Orders are still awaited on that application filed under Section 44 (1) (c) of the PMLA Act, 2002.

15. We have requested Mr. Venkatesh, the learned counsel appearing for the Enforcement Directorate, and Ms. Aishwarya Bhati, the learned ASG appearing for the Delhi Police as well as Ms. Rebecca John, the learned senior counsel and Ms. Anubha Agrawal, the learned counsel to provide us with some further information as regards the two sets of prosecution to enable us to pass an appropriate order within a period of one week from today. We are inclined to pass an order to facilitate expeditious commencement of the trials pending in the two courts, referred to above.

16. Ms. Anubha Agrawal, the learned counsel also brought to our notice that the affidavit of compliance regarding inviting claims from senior citizen fixed deposit holders, duly affirmed by one Shri Smritik Paul, General Manager, Land Assets Divestment Division.

17. In the affidavit, the deponent has stated that in pursuance of the Public Notice 3238 Senior citizens applied along with their relevant documentation as on 30.6.2026. The details have been furnished in this regard in the affidavit. The deponent seeks directions from this Court for disbursement of the requisite amount in favour of senior citizens, those between 70

to 80 years and above 80 years. We fix the cut-off date to be the last date of the submission of the claim, i.e, 30.06.2026. We are of the view that we should also orders for disbursement to the senior citizens between 60-70 years.

18. Registry is directed to disburse the amount of Rs.74,03,50,000/- accordingly in favour of the Unitech Board at the earliest which is lying in SLP (Crl.)Nos.5978-5979 of 2017.

19. Let the aggregate amount to the tune of Rs.74,03,50,000/- be disbursed by the Board to the senior citizens fixed deposit holders accordingly over a period of four weeks from today.

20. List the matter(s) on 30.9.2026.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)