

ITEM NO.35 Court 4 (Video Conferencing) SECTION III-A

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

Miscellaneous Application No.1918/2021 in C.A. No. 5041/2021

SUPERTECH LTD

Appellant(s)

VERSUS

EMERALD COURT OWNER RESIDENT WELFARE  
ASSOCIATION & ORS

Respondent(s)

(FOR ADMISSION and IA No.155952/2021-EXEMPTION FROM FILING O.T. and  
IA No.155951/2021-CLARIFICATION/DIRECTION, IA No. 6308/2022 -  
EXEMPTION FROM FILING O.T., IA No. 6305/2022 - PERMISSION TO FILE  
ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

MA 1968/2021 in C.A. No. 5041/2021 (III-A)

(IA No. 160526/2021 - CLARIFICATION/DIRECTION)

Miscellaneous Application Diary No(s). 3033/2022 in C.A. No.5041 of  
2021(III-A)

(WITH IA No. 13003/2022 - APPLICATION FOR PERMISSION, IA No.  
13005/2022 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 12992/2022 -  
INTERVENTION/IMPLEADMENT)

Date : 07-02-2022 These applications were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE SURYA KANT

Mr. Gaurav Agrawal, Adv. (A.C.)

For Petitioner(s)

MA 1968/21

Mr. S. Ganesh, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Anshuman Srivastava, Adv.  
Mr. Rishabh Parikh, Adv.  
Mr. S. Sahil Reddy, Adv.  
Mr. E. C. Agrawala, AOR

For Respondent(s)

applicant

MA 1918/21

Mr. Ravindra Kumar, Sr. Adv.  
Mr. Binay Kumar Das, AOR  
Ms. Priyanka Das, Adv.  
Mr. Jawaharlal, Adv.

Ms. Neha Das, Adv.

MA D 3033/22

Mr. Chaitanyashil Priyadarshi, Adv.  
Mr. Krishnamohan K., AOR

Mr. Jayant Bhushan, Sr. Adv.  
Mr. Anish Agarwal, AOR  
Mr. Amartya Bhushan, Adv.

Mr. Ravindra Raizada, Sr. Adv./AAG  
Mr. Rajeev Kumar Dubey, Adv.  
Mr. Ashiwan Mishra, Adv.  
Mr. Kamendra Mishra, AOR

Mr. Bhakti Vardhan Singh, AOR

Mr. Tarun Gupta, AOR

Mr. Arun Adlakhia, Adv.  
Mr. Naman Gupta, Adv.  
Mr. Prakash Sharma, Adv.  
Mr. Dharmendra Kumar Sinha, Adv.

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

- 1 We have heard Mr S Ganesh, senior counsel appearing on behalf of Supertech Limited, Mr Jayant Bhushan, senior counsel appearing on behalf of the Residents' Welfare Association, Mr Ravindra Kumar, senior counsel appearing on behalf of NOIDA, Mr Ravindra Raizada, Additional Advocate General for the State of Uttar Pradesh and Mr Gaurav Agrawal, *amicus curiae*.
- 2 During the course of the hearing, Mr S Ganesh has stated that, on 5 February 2022, an email was received from NOIDA intimating that necessary NOCs have been received from the agencies concerned for facilitating the work of demolition. The Court has been apprised of the fact that on 6 February 2022, a cheque in the amount of Rs 70 lakhs less TDS has been forwarded to the agency which has been earmarked for carrying out the work of demolition. The Court has been assured that there is no impediment in the cheque being encashed and

no conditions are being imposed for the monies to be released to the nominated agency.

- 3 In order to facilitate a final plan being chalked out for implementing the directions of this Court and stipulating the dates for commencement of work and its completion, we direct that the Chief Executive Officer of NOIDA shall convene a meeting within the course of the next 72 hours at which all the representative agencies shall remain present. The representatives of Gas Authority of India Limited would also be requested to remain present for the meeting. The CEO, NOIDA shall take all necessary steps and issue instructions for observing the directions of this Court. The work of demolition shall commence no later than within a period of two weeks from the date of this order. A status report shall be filed before the next date of listing.
- 4 List the Miscellaneous Applications on 28 February 2022.

**(SANJAY KUMAR-I)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**