

ITEM NO.3

COURT NO.2

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**

CONMT.PET.(C) No. 151/2022 in C.A. No. 5041/2021

CHANDRANI BANERJEE

Petitioner(s)

VERSUS

R.K. ARORA &amp; ORS.

Respondent(s)

(WITH IA No. 31573/2022 - EXEMPTION FROM FILING AFFIDAVIT)

WITH

Diary No(s). 6706/2022 (III-A)

(WITH IA No. 31091/2022 - CLARIFICATION/DIRECTION, IA No. 31088/2022 - CLARIFICATION/DIRECTION, IA No. 38465/2022 - INTERVENTION APPLICATION, IA No. 38349/2022 - INTERVENTION APPLICATION, IA No. 31090/2022 - INTERVENTION APPLICATION, IA No. 31087/2022 - INTERVENTION APPLICATION)

CONMT.PET.(C) No. 152/2022 in C.A. No. 5041/2021 (III-A)  
 (FOR ADMISSION)

MA 592/2022 in C.A. No. 5041/2021 (III-A)  
 (WITH IA No. 50012/2022 - CLARIFICATION/DIRECTION)

CONMT.PET.(C) No. 288/2022 in C.A. No. 5041/2021 (III-A)

CONMT.PET.(C) No. 153/2022 in C.A. No. 5042/2021 (III-A)  
 (WITH IA No. 38881/2022 - EXEMPTION FROM FILING PAPER BOOKS)

CONMT.PET.(C) No. 154/2022 in C.A. No. 5042/2021 (III-A)  
 (FOR ADMISSION)

Date : 14-10-2022 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
 HON'BLE MS. JUSTICE HIMA KOHLI

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

For Petitioner(s)

Mr. Sumit Aggarwal, Adv.  
 Mr. Saurabh Chaudhary, Adv.  
 Mr. P. Soma Sundaram, AOR

Ms. Rupali Sharma, AOR  
 Mr. Ajay K. Sharma, Adv.

Mr. Abraham C. Mathews, Adv.

Mr. Vivek Paul, Adv.  
Mr. Nishe Rajen Shonker, AOR

Mr. Ravi Bharuka, AOR  
Mr. Sushant Mahajan, Adv  
Mr. Ankit Agarwal, Adv.

Mr. R. Chandrachud, AOR

For Respondent(s)  
MA 768

Mr. Abraham C. Mathews, Adv.  
Mr. Vivek Paul, Adv.  
Mr. Nishe Rajen Shonker, AOR

MA D 6706/22

Mr. Anurag Ojha, Adv.  
Mr. Karan Aggarwal, Adv.  
Mrs. Shubhangi Tuli, AOR

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

Mr. Ashish Batra, AOR

Mr. Pulkit Agarwal, AOR

Mr. Anish Agarwal, AOR

Mr. Bhakti Vardhan Singh, AOR

Mr. Ravindar Raizada, AAG  
Mr. Rajeev Kumar Dubey, Adv.  
Mr. Ashiwan Mishra, Adv.  
Ms. Vaidruti Mishra, Adv.  
Mr. Kamendra Mishra, AOR

Mr. Tarun Gupta, AOR

M/S. Cyril Amarchand Mangaldas Aor, AOR

Mr. E. C. Agrawala, AOR

Mr. Rishabh Parikh, Adv.

Mr. Prithvi Pal, Adv.

Mr. R. Sudhinder, Adv.  
Mr. Udit Mendiratta, Adv.  
Ms. Niharika Sharma, Adv.

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

- 1 In the note which has been submitted by the *amicus curiae*, the amounts which are found due to the fifteen applicants in the present batch of proceedings are tabulated as follows:

“2...

Sr. No.	Name of applicant	Amount due
1	Chandrani Banerjee	Rs.89,33,898
2	Manoj Chopra	Rs.1,10,87,759
3	Amit Kumar Gupta	Rs.81,71,124
4	Adarsh Kumar Agarwal	Rs.83,39,610
5	Anuj Goyal	Rs.18,25,551
6	Sumit Goel	Rs.23,60,934
7	Priya Goel	Rs.23,60,934
8	Mukta Jain	Rs.17,20,855
9	Subhash Chand Jain	Rs.23,61,800
10	Abhishek Jain APX304	Rs.24,44,411
11	Abhishek Jain APX404	Rs.24,42,499
12	Herbinder Singh	Rs.27,45,010
13	Vineet Kapoor	Rs.23,60,271
14	Sanjeev Sharma	Rs.79,44,308
15	Ispita Nayak	Rs.53,84,981
	Total	Rs.7,04,83,945 ”

- 2 An amount of Rupees One crore is lying in deposit with the Registry of this Court pursuant to the order dated 26 August 2022. The amount of Rupees One crore shall be distributed *pro rata* to the above fifteen applicants within three weeks. In addition, the IRP shall deposit a further amount of Rupees One crore in the Registry of this Court on or before 8 December 2022. Upon deposit of that amount, it shall be distributed *pro rata* to the above fifteen applicants on the same basis.
- 3 The disbursal shall be made to the home buyers subject to their filing undertakings that if there is an outstanding loan due to any bank or financial

institution, the amount which is received *pro rata* shall be utilized in repaying the loan.

- 4 The amount which has been directed to be paid in the above terms by the IRP shall be defrayed out of the account of the Corporate Debtor.
- 5 The Court has been apprised of the fact that an appeal has been filed before this Court in **Union Bank of India v Ram Kishor Arora**<sup>1</sup> against the order of the NCLAT which is likely to be listed in the week commencing 7 November 2022. The Court shall be apprised on the next date of listing of the outcome of the appeal or any orders which may be passed.
- 6 List the proceedings on 12 December 2022. Diary No 31870 of 2022 be listed along with the present proceedings on the next date of listing.

**(SANJAY KUMAR-I)**  
**DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)**  
**ASSISTANT REGISTRAR**