

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). 188/2004

M/S. RAIGANJ CONSUMER FORUM

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

WITH

T.C. (C) Nos.19/2005, 24/2005, 2/2004, 1/2004, 3/2004, 10/2004, 59/2003, 60/2003, 68/2003, 69/2003, 70/2003, 71/2003, 72/2003, 73/2003, 74/2003, 76/2003, 77/2003, 78/2003, 79/2003, 80/2003, 81/2003, 58/2005, 83/2003, 84/2003, 85/2003, 86/2003, 88/2003, 89/2003, 90/2003, 91/2003, 92/2003, 93/2003, 94/2003, 49/2005, 97/2003, 50/2005, 98/2003, 51/2005, 53/2005, 101/2003, 54/2005, 102/2003, 55/2005, 103/2003, 56/2005, 104/2003, 57/2005, 105/2003, 107/2003, 109/2003, 110/2003, 111/2003, 112/2003, 115/2003, 116/2003, 117/2003, 118/2003, 119/2003, 120/2003, 121/2003, 122/2003, 123/2003, 125/2003, 126/2003, 128/2003, 129/2003, 130/2003, 131/2003, 132/2003, 133/2003, 134/2003, 135/2003, 136/2003, 137/2003, 138/2003, 139/2003, 140/2003, 141/2003, 142/2003, 143/2003, 144/2003, 147/2003, 148/2003, 149/2003, 151/2003, 152/2003, 153/2003, 155/2003, 156/2003, 157/2003, 158/2003, 159/2003, 160/2003, 161/2003, 162/2003, 163/2003, 164/2003, 165/2003, 166/2003, 167/2003, 169/2003, 170/2003, 171/2003, 172/2003, 173/2003, 174/2003, 175/2003, 176/2003, 177/2003, 178/2003, 179/2003, 180/2003, 181/2003, 182/2003, 183/2003, 184/2003, 185/2003, 186/2003, 187/2003, 188/2003, 189/2003, 190/2003, 191/2003, 192/2003, 193/2003, 194/2003, 195/2003, 197/2003, 198/2003, 199/2003, 200/2003, 202/2003, 203/2003, 204/2003, 205/2003, 206/2003, 207/2003, 208/2003, 209/2003, 210/2003, 211/2003, 212/2003, 213/2003, 214/2003, 216/2003, 217/2003, 218/2003, 219/2003, 220/2003, 221/2003, 222/2003, 223/2003, 224/2003, 225/2003, 228/2003, 229/2003, 230/2003, 231/2003, 232/2003, 233/2003, 234/2003, 235/2003, 236/2003, 237/2003, 238/2003, 239/2003, 240/2003, 241/2003, 242/2003, 243/2003, 244/2003, 245/2003, 247/2003, 248/2003, 249/2003, 251/2003, 252/2003, 254/2003, 255/2003, 256/2003, 257/2003, 258/2003, 259/2003, 260/2003, 261/2003, 262/2003, 95/2003, 124/2003, 146/2003, 201/2003, 215/2003, 226/2003, 227/2003, 82/2003 and 154/2003

MA 151/2018 in T.C. (C) No. 2/2004

(IA No.8286/2018-CLARIFICATION/DIRECTION)

Date : 09-05-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

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

A copy of the affidavit given in Court by the Principal Commissioner, Income Tax, Chandigarh is taken on record.

Mr. Dipinder Singh, Secretary, Revenue Department, Government of Punjab is present. A copy of the affidavit given in Court on behalf of the Government of Punjab furnishing the particulars of the surplus land is taken on record. The appearance of the officer is dispensed with.

Mr. Vinod Prasad Raturi, Secretary, Revenue Department, Government of Uttarakhand is present. A copy of the affidavit given in Court by the Government of Uttarakhand furnishing the particulars of the surplus land is taken on record. The presence of the officer is dispensed with until further orders.

Any of the parties to these writ petitions are free to respond to the reports filed by the States of Punjab and Uttarakhand as also to the affidavit filed by the Principal Commissioner of Income Tax, Chandigarh.

The Registry is directed to verify the Bank Guarantee.

By our order dated 11th April, 2018, we recorded that the best offer for purchase of the properties reached upto Rs.721,00,00,000/- (Rupees seven hundred and twenty one crores). It was also made clear that a further opportunity will be available to those who are otherwise interested to participate in the auction on 2nd May, 2018. The Committee was also directed to give wide publicity for the proposed auction to be held on 2nd May, 2018 so that others, if interested, could participate subject to the deposit/bank guarantee for an amount of Rs.721,00,00,00,/- (Rupees seven hundred and twenty one crores). The matter was taken up on 2nd May, 2018. It was noted that nobody was clear as to the extent and the items of properties. Therefore, this Court directed the Committee to furnish a list of properties showing the available particulars.

Accordingly, the Committee has filed a compliance report furnishing the details of properties available for

sale. The available details include nature of the land/building, location, approximate area, Collector's rate and the valuation. We direct the Committee to upload the particulars of the properties furnished to this Court by their compliance report dated 3rd May, 2018 on their website forthwith.

Post these matters on 17th May, 2018.

We make it clear that anybody who is interested in participating in the auction in respect of the properties, particulars of which are available on the website of the Committee, shall be present in Court on that day and deposit or furnish bank guarantee for Rs.722,00,00,000/- (Rupees seven hundred and twenty two crores) with the Registry on or before 4 p.m. on 16th May, 2018.

We further make it clear that in case anybody is interested in gathering any more information, they are free to approach the Committee regarding the same. The auction will be conducted on 'as is where is basis' condition. It is also made clear that auction will be on the principle of caveat emptor, meaning thereby that whatever be the deficiencies in the title and whatever be the litigation in respect of the properties, all that the buyers will have to take care of. It is also made clear that this will include the disputes on surplus land as well.

We direct the Committee to give wide publicity to this order with the relevant part of this order. We also direct the Committee to publish the details of the properties as furnished to this Court in their affidavit dated 3rd May, 2018 as part of the advertisement.

(ANITA MALHOTRA)
COURT MASTER

(RENU DIWAN)
ASSTT. REGISTRAR

* (The original bank guarantee is handed over to the concerned dealing assistant in Court.)