

IN THE HON'BLE SUPREME COURT OF INDIA

(CIVIL ORIGINAL JURISDICTION)

I.A. NO..... OF 2024

IN

WRIT PETITION (CIVIL) NO.-188/2004

IN THE MATTER OF:

M/S RAI GANJ CONSUMER FORUM PETITIONER

VERSUS

UNION OF INDIA AND ORS. RESPONDENT

AND IN THE MATTER OF:

RUPINDER BATTH

S/O SH. JAGDISH SINGH BATTH

R/O H. NO. 2648-FF,

SEC 69, MOHALI, SAS NAGAR,

MOHALI PUNJAB

APPLICANT/BUYER

WITH

I.A. NO.OF 2024

(APPLICATION FOR INTERVENTION AS A BUYER)

PAPER BOOK

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ADVOCATE FOR THE APPLICANT:

ANAND SHANKAR

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IN THE HON'BLE SUPREME COURT OF INDIA
(CIVIL APPELLATE JURISDICTION)

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MOHALI PUNJAB

APPLICANT/BUYER

(AN APPLICATION FOR INTERVENTION UNDER ORDER LV
READ WITH ORDER V RULE 2(3) OF SUPREME COURT
RULES 2013 TO ALLOWING INTERVENE THE APPLICANT AS
A BUYER

TO,

THE HON'BLE CHIEF JUSTICE OF INDIA AND
HIS COMPANION JUDGES OF THE SUPREME
COURT OF INDIA, NEW DELHI

THE HUMBLE APPLICATION OF THE APPLICANT
ABOVE NAMED

MOST RESPECTFULLY SUBMITS:

1. That the proceedings referred to above are pending before the Hon'ble Apex Court for adjudication.
2. It is most respectfully submitted that in the present case, this Hon'ble Court vide order dated 19.08.2004 was pleased to constitute a committee to take into its custody all assets of Golden Forests (India) Ltd. ("GFIL") and its subsidiaries companies, thereafter called all the creditors of GFIL and its subsidiaries companies to submit their claims before the said committee.
3. That pursuant to the directions of this Hon'ble Court, the said committee itself and through the Income Tax Department, has made various attempts to auction the properties of GFIL, GPL and its subsidiaries companies.
4. That the applicant is a businessman and deals in buying properties, and is competent to file the present application in the above mentioned pending matter before this Hon'ble Court.

5. That on dated 24.01.2023, the Income Tax Department ,Dehradun, Uttarakhand, published a valuation report of property i.e. SHOPS IN MUSSORIE , SHOPS NO.1 - 10, THREE STOREY BUILDING (GROUND FLOOR, FIRST FLOOR, SECOND FLOOR) SITUATED AT THE MALL, KULRI, MUSSOORIE. That the applicant could not participate in the previous auction and he came to know that the abovementioned property is still available for sale. Hence the applicant is willing to purchase the abovementioned land i.e. SHOPS IN MUSSORIE, SHOPS NO.1-10, THREE STOREY BUILDING (GROUND FLOOR, FIRST FLOOR, SECOND FLOOR) SITUATED AT THE MALL, KULRI, MUSSOORIE, whose value is Rs. 5,19,93,130/- (RUPEES FIVE CRORE NINETEEN LACS NINETY THREE THOUSAND ONE HUNDRED THIRTY ONLY) as per the Valuation Report dated 24.01.2023. The orders for the Valuation Report has been passed by the Hon'ble Supreme Court Of India only. True Copy of

the Valuation Report dated 24.01.2023 is annexed hereto as ANNEXURE-A1(Page no. 10-11)

6. That the applicant previously approached the liquidator/committee appointed by the Hon'ble Court and made an oral representation to purchase the above mentioned property i.e. SHOPS IN MUSSORIE, SHOPS NO.1 - 10, THREE STOREY BUILDING (GROUND FLOOR, FIRST FLOOR, SECOND FLOOR) SITUATED AT THE MALL, KULRI, MUSSOORIE, UTTARAKHAND, but the liquidator /Committee did not considered his request to as a buyer and thereafter the applicant came to know that all the previous orders for auction /bid not survived.
7. That the applicant is having the good financial capacity and he is willing to purchase the above mentioned property alongwith the other attached properties of MUSSOORIE, UTTARAKHAND as per the valuation with the permission of this Hon'ble Court. True copy of the AADHAR CARD and PAN CARD of the applicant is annexed hereto as

ANNEXURE-A-2 (Page No. 12) and **ANNEXURE A-3**(Page No. 13) respectively.

8. That the intervention of present applicant is necessary and proper to the present proceedings for the following, among other reasons:
 - A. Because the above mentioned is pending before this Hon'ble Court for adjudication.
 - B. Because the applicant, being a businessman, have financial capacity and is willing to purchase the abovementioned property alongwith the other attached properties of MUSSORRIE, UTTARAKHAND.
 - C. Because the abovementioned similar petition/applications are already pending with similar statute involved and for the similar relief before this Hon'ble Court hence, fresh petition is not being filed for the sake of brevity.
 - D. Because the applicant is having good financial status and therefore is capable to offer best consideration for the properties of Mussorie,

Uttarakhand, which shall ultimately be beneficial for the respondents.

9. That the applicant is a Performa Buyer of the abovementioned property and he is interested to purchase the abovementioned property as per the valuation with the permission of this Hon'ble Court.
10. That the presence of the applicant is necessary in order to participate in the auction of the abovementioned property, if conducted.
11. That by adding the applicant as a buyer of the abovementioned property, no prejudice will be caused to the parties already on record; neither will a fair trial of the questions in controversy be prejudiced. On the other hand, not allowing the applicant to intervene in the present proceedings will cause serious loss to the applicant.
12. That this application is bona fide and in the interest of justice.

PRAYER:

It is therefore, most respectfully prayed from this Hon'ble Court may graciously be pleased to allow this application and be pleased to:

- (a) To permit the applicants to be intervene in the aforesaid matter as a buyer/bidder and allow the applicant to purchase the abovementioned property or other properties of Mussorie, Uttarakhand as per the valuation report.
- (c) Pass any order or further orders(s) as your Lordships may deems fit and proper in the facts and circumstances of the case and in the interest of justice.

AND FOR THIS ACT OF KINDNESS THE PETITIONER AS IS DUTY BOUND SHALL EVER PRAY.

DRAWN BY:

Filed on: - 03.07.2024

FILED BY



(ANAND SHANKAR)

ADVOCATE ON RECORD FOR THE APPLICANT

IN THE HON'BLE SUPREME COURT OF INDIA
(CIVIL APPELLATE JURISDICTION)

I.A. NO. _____ OF 2024

IN

WRIT PETITION (CIVIL) NO. 188 OF 2004

IN THE MATTER OF:

M/S RAIGANJ CONSUMER FORUM

..PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

.. RESPONDENTS

AND IN THE MATTER OF:

RUPINDER BATTH

S/O SH. JAGDISH SINGH BATTH

R/O H NO 2648-FF, SEC 69 MOHALI, SAS

NAGAR, MOHALI PUNJAB.

AFFIDAVIT

I, RUPINDER BATTH AGED ABOUT 55 YEARS
 S/O SH. JAGDISH SINGH BATTH R/O HOMES
 NO. 2648-FF, SEC 69 MOHALI, SAS NAGAR,
 MOHALI PUNJAB do hereby solemnly affirm and
 declare as under:-

1. That I am the Applicant in the above mentioned Application and am fully conversant with the facts and circumstances of the case and hence competent to swear by way of the present affidavit.

R. Batth



18 JUN 2024



2. That I have read and understood the contents of the above mentioned Application from (page no. __ to __ and Para __ to Para __), I state that the same are true and correct to my knowledge and belief and have been drafted as per my instructions.



18 JUN 2024

3. That the Annexures to the Application are true copies of their respective originals.

R Batth

DEPONENT

VERIFICATION:

I, the above named deponent, do hereby verify that the contents of the above Affidavit are true and correct to the best of my knowledge, no part of it is false and nothing material is concealed therefrom.

Verified at Haryana, on this 18th day of June 2024.

R Batth

DEPONENT

Aadhar: 9295 69411444

This Affidavit/SPA/GPA/Deed has been executed by the deponents/executants contents of which have been read over & explained to him/her/them which he/she/they understand & admit to be correct

ATTESTED
HEMANT GOYAL
NOTARY PUBLIC
Panchkula (Hrv)

18 JUN 2024

V 2024

5	PROPERTY DESCRIPTION	
5.1	Actual area covered and plinth area construction.	Shops in Mussoorie Shops No. 1 to 10 Three Storey Building (Ground Floor, First Floor, Second Floor)Situatd at the mall, kulri, mussoorie.
5.2	Type of construction and broad specifications.	RCC Structure
5.3	Period of construction	NA
6	METHOD OF VALUATION	
6.1	Method adopted .	Circle rates issued by the Collector, Dehradun, date 13.01.2020
6.2	Reasons in support of the Method adopted.	This is the most appropriate method adopted to determine Fair Market Value of the property under the given circumstances.
6.3	Any special observations or Quallscations:	
	The subject property was inspected on 6th May 2023 and the inspection was arranged by Addl. CIT Dehradun along with his official and officials of Revenue Department Dehradun. The Valuation of the subject mentioned property has been worked out as per plan of sale deed and available information/data due to exigency of the work monitored by the Supreme Court of India	
	This valuation report is relevant to Land & Cost of Construction (of the subject mentioned property) and does not include the cost of furniture, furnishing items, T&P, Lift and other movable items etc.	
7.0	RATES ADOPTED FOR VALUATION:	
7.1	Land Circle Rates/ Standard plinth area rates adopted plus/minus deviations and corrections for Building cost index	Circle rates issued by the Collector, Dehradun, vide No. 404/stamplipik/mu.su/2020 dated 13.01.2020
8.0	VALUATION	
	The Fair Market Value of the subject mentioned property "Shops in Mussoorie Shops No. 1 to 10 Three Storey Building (Ground Floor, First Floor, Second Floor)Situatd at the Mall, Kulri, Mussoorie." has been worked out (as per Annexure-D) on the basis of available information as under:	
Sl. No	Date of Valuation	FMV of subject property
1	24.01.2023	Declared by Assessee NA
		Estimated by this office Rs: 5,19,93,130/-

(Rupees Five Crore Nineteen Lakh Ninety Three Thousand One Hundred Thirty only)

08/06/23
(N R Singhmar)
Valuation Officer-IV, Delhi
Valuation Cell, Income Tax Department

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ANNEXURE - D

Calculation of Fair Market Value of Property

Subject: Valuation of properties in the matter of M/s Raiganj Consumer Forum Vs Union of India & Ors in W.P. (C) No. 188/2004- Directions of Hon'ble Supreme Court-Reg.

Name of Property: Shops in Mussoorie (Shops No. 1 to 10)

{ Three Storey Building(Ground Floor, First Floor, Second Floor) Situated at the mall, kulri, mussoorie}

Date of Valuation: 24.01.2023

Super Area (including staircase): (130 feet x 20' 6") x 3 = 7995 sq ft= 742.759 sqm (As per drawing)

Value of Property As on 024.01.2023 based on Circle rate issued by Revenue Department/Collectarate office Dehradun Dehradun No. 404/stamp/pilk/mu.su/2020 dated 13.01.2020 S No.8H(2)(8)

1	Circle rate for commercial building (super area rate per sqm.) for shop/restaurant/office	=	70,000.00
2	FMV of Property = 742.759 X 70000	=	5,19,93,130
3	Total	=	5,19,93,130

FMV of the Property = Rs. 5,19,93,130

[Handwritten Signature]
Valuation Officer-IV, Delhi

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ANNEXURE - A-2

भारत सरकार
Government of India



रूपिन्दर बाठ
Rupinder Batth
जन्म तिथि/DOB: 04/05/1969
पुरुष/ MALE

9295 6941 1444
VID : 9154 0996 6883 2821

मेरा आधार, मेरी पहचान

भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India



पता:
स/ी जस बत्थ, क नो २६४८-फफ़ सेक ६९ मोहाली, सास
नगर, मोहाली, सेक्टर ६९, स.ा.स.नगर (मोहाली), सेक्टर
६२, सास नगर (मोहाली),
पंजाब - १६००६२

Address :
C/o JS Batth, K NO 2648-FF SEC 69 MOHALI,
SAS NAGAR, MOHALI, SECTOR 69, S.A.S.Nagar
(Mohali), PO: Sector 62, DIST: SAS Nagar
(Mohali),
Punjab - 160062



9295 6941 1444
VID : 9154 0996 6883 2821

1947 help@uidai.gov.in www.uidai.gov.in

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ANNEXURE-A-3

आयकर विभाग
INCOME TAX DEPARTMENT

भारत सरकार
GOVT. OF INDIA

स्थायी लेखा संख्या कार्ड
Permanent Account Number Card
AKJPB7318R



नाम / Name
RUPINDER BATTH

पिता का नाम / Father's Name
JAGDISH SINGH BATTH

जन्म की तारीख /
Date of Birth
04/05/1969

हस्ताक्षर / Signature

26072020

VAKALATNAMA**IN THE SUPREME COURT OF THE INDIA
CIVIL APPELLATE JURISDICTION**

I. A. NO. _____ OF 2024

IN

WRIT PETITION (CIVIL) NO. 188 OF 2004

IN THE MATTER OF;

M/S RAI GANJ CONSUMER FORUM INTERVENOR/ PETITIONER

Versus

UNION OF INDIA AND ORS.

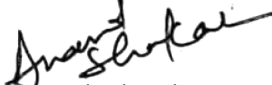
...RESPONDENT/ CAVEATOR

I Rupinder Batth Intervenor in the above petition/Appeal/Caveat/References do hereby appoint and retain **Mr. Anand Shankar**, Advocate-on-Record of the Supreme Court, New Delhi to act and appear for me/us in the above Petition/Appeal/Caveat and on my/our behalf to conduct and prosecute (or defend) the same and all proceeding that may be taken in respect of any application connected with the same or any decree or order passed therein including proceedings in taxation and application for Review to file and obtain return of documents and deposited and receive money on my/our behalf in the said petition/Appeal/Caveat and in application for Review, and to represent me/us and take all necessary steps on my/our behalf in the above matter.

I/We agree to ratify all acts done by the aforesaid advocate in pursuance of this authority.

Dated 02nd day of July 2024

Accepted


Anand Shankar
I identify the
signature



(RUPINDER BATTH)

Advocate –on- Record
Supreme Court, New DelhiPetitioner(s) / Appellant/Respondent(s)
Caveator/ Intervenor

MEMO OF APPEARANCE

To,

**The Registrar
Supreme Court of India,
New Delhi – 110001**

Sir,

Please enter appearance for the above named Petitioner(s) / Appellant (s)/
Respondent(s)/Caveator(s) in the above mentioned matter.

Filed On 03/07/2024

Your Faithfully,



**ANAND SHANKAR
Advocate-on-Record,
Supreme Court of India**

The Address for service of the said Advocate is:

**C-21, Lower Ground Floor,
Panchsheel Enclave,
New Delhi- 110 017
M.- +91 9810916302
E-mail: csllbanand@gmail.com
Code: 3034**