

1A No- 175920/2022

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (CIVIL) NO. 188/2004

IN THE MATTER OF:

M/S. RAIGANJ CONSUMER FORUM
VERSUS

UNION OF INDIA & ORS.

.....Petitioner(s)

.....Respondent(s)

AND IN THE MATTER OF:

M/s Sudhakara Infratech Pvt Ltd
Through its Managing Partner
(Corporate Office) Flat No. 304,
Metro Residency, Rajbhavan Road,
Somajiguda, Hyderabad – 500082

.....Applicant

INDEX

S. No.	Particulars	Pages
1.	Application for directions on behalf of M/s Sudhakara Infratech Pvt Ltd with affidavit	1-11
2.	Annexure A-1 Copy of Application dated 08.02.2021 filed before the Committee-GFIL	12-14
3.	Annexure A-2 Copy of applicant's letter dated 10.03.2021 sent to the Committee-GFIL	15-16
4.	Annexure A-3 Copy of Committee-GFIL's reply dated 25.03.2021	17

ADVOCATE FOR THE APPLICANT: SHAILENDRA BHARDWAJ
C.C. No. 717
Filed on: 15.11.2022

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (CIVIL) NO. 188/2004

IN THE MATTER OF:

M/S. RAIGANJ CONSUMER FORUMPetitioner(s)

VERSUS

UNION OF INDIA & ORS.Respondent(s)

AND IN THE MATTER OF:

M/s Sudhakara Infratech Pvt Ltd

Through its Managing Partner

(Corporate Office) Flat No. 304,

Metro Residency, Rajbhavan Road,

Somajiguda, Hyderabad – 500082

.....Applicant

**APPLICATION FOR DIRECTIONS ON
BEHALF OF THE APPLICANT M/S.
SUDHAKARA INFRATECH PVT LTD
(CORPORATE OFFICE) FLAT NO. 304,
METRO RESIDENCY, RAJBHAVAN
ROAD, SOMAJIGUDA, HYDERABAD –
500082**

To

The Hon'ble the Chief Justice
and other Hon'ble judges of the
Supreme Court of India.

The petition of the applicant above named,

MOST RESPECTFULLY SHOWETH:

1. That the applicant company M/s Sudhakara Infratech Private Limited is a duly incorporated Private company classified as Non-government Company and is registered at Registrar of Companies, Hyderabad. It is involved in Building of complete constructions or parts thereof or civil engineering projects. The Company has an annual turnover exceeding 450 Crore and has credit limits of Rs 40 Crore (Funds based) and Rs 168 Crore (Non funds based).

2. That the applicant filed an application dated 08.02.2021 before the Committee-GFIL stating therein that the applicant has learnt that the Committee-GFIL is appointed by the Hon'ble Supreme Court of India for taking over and selling the assets of a company M/s Golden Forest India Limited. These assets of M/s Golden Forest India Limited include Agricultural Lands in Andhra Pradesh Mandal Choutuppal, District Nalgonda which is approximately 1091.331 Acre and is tentatively valued @ Rs. 20 Lacs per acre and is assumed to be 218 Cr. approximately by the Committee GFIL. This is evident from the details uploaded by the Hon'ble

Committee-GFIL on its web site. A copy of the said application dated 08.02.2021 is being annexed hereto as **Annexure A-1**.

3. That the applicant company further stated in its application that it is willing to purchase the entire 1091.331 Acre of Agricultural Lands in Andhra Pradesh Mandal Choutuppal, District Nalgonda for sale consideration of Rs 20 Lakh per acre which is determined by the Hon'ble Committee and which as per the prevailing rates is fair, just and reasonable in the peculiar facts of the case.
4. That the applicant further stated that the funds for purchasing the entire 1091.331 Acre of Agricultural Lands in Andhra Pradesh Mandal Choutuppal, District Nalgonda are available with the applicant company and the company is willing to deposit the same with the Hon'ble Committee in the event of acceptance of applicant Company's above offer to purchase the said land.
5. That the applicant company also stated that as per the information on the web site of the Committee GFIL this land is still to be verified by the Committee GFIL and the valuation too is tentative. The applicant company therefore requested the Committee to

furnish the details of the the entire 1091.331 Acre of Agricultural Lands in Andhra Pradesh Mandal Choutuppal, District Nalgonda at the earliest. The applicant further added that the price for any shortage or excess of land would be proportionately subtracted or added as the case may be.

6. That the applicant further submitted that in the event the Committee-GFIL agrees to sell the above lands to the applicant company who is willing to pay the entire amount in one go, the same would be enable the Committee GFIL to substantially clear debts of large number of investors.
7. That that the applicant stated that on receipt of the aforesaid information and confirmation from the Hon'ble Committee, the applicant would deposit the entire sale consideration in the manner as would be advised by the Committee GFIL and also within such time as may be advised by the Committee-GFIL and thereafter accordingly a request could be made to the Hon'ble Supreme Court to confirm the sale.

8. That the applicant requested the Committee-GFIL for furnishing the Terms and Conditions of the sale of the properties as prescribed by the Committee – GFIL.
9. That during the course of personal hearing it was revealed that this Hon'ble Court had directed the income tax department to value of the property afresh and for that reason the applicant sent an application dated 10.03.2021 to the Committee GFIL requesting therein to furnish to them details of 1091.331 Acre of agricultural land in Telangana, Mandal Choutuppal, District Nalgonda along with the valuation report of the income tax department as soon as possible. A copy of the said letter dated 10.03.2021 is being annexed hereto as **Annexed A-2**.
10. That however vide reply dated 25.03.2021 the committee GFIL stated as under:
- “The committee considered your application on 24.3.2021 and decided that since the committee is working under various orders of Hon'ble Supreme Court which does not allow the committee to enter into any direct negotiation with any intended buyer of the property of GFIL group. And that intended purchaser may make their offers to Hon'ble*

Supreme Court of India, by making self-contained application giving their offer. And further that if applicant wishes to obtain any details of land, he may approach Hon'ble Supreme Court of India and obtain directions in this regard."

A copy of the reply dated 25.03.2021 of the committee GFIL is being annexed hereto as **Annexure A-3**.

11. That as a result, the applicant has filed the present application for directing the committee GFIL to furnish to the applicant details of 1091.331 Acre of agricultural land in Telangana, Mandal Choutuppal, District Nalgonda along with the valuation report of the income tax department as soon as possible so as to enable the applicant to make a fair, just and reasonable offer as per the prevailing market value for purchasing the said land.

12. That on receipt of the aforesaid information and in the event the Committee-GFIL agrees to sell the above lands to the applicant company, the applicant states that it would make the best possible offer and also deposit the entire sale consideration in the manner as would be advised by the Committee GFIL or as may be directed by

this Hon'ble Court and within such time as may be directed or allowed.

13. The applicant company submits that after that this Hon'ble Court may be pleased to consider confirmation of sale of the above lands to the applicant company, the applicant reiterates that it is willing to pay the entire amount and the same would be enable this Hon'ble Court/ the Committee GFIL to substantially clear debts of large number of investors.

14. That it is in the interest of justice that this Hon'ble Court is pleased to direct the Committee-GFIL:

- (i) to furnish to the applicant details of 1091.331 Acre of agricultural land in Telangana, Mandal Choutuppal, District Nalgonda along with the valuation report of the income tax department; and
- (ii) to consider the applicant company's proposal when the same is submitted for purchasing the entire 1091.331 Acre of Agricultural Lands in Andhra Pradesh Mandal Choutuppal, District Nalgonda

15. That considering the peculiar facts and circumstances of the case, this honourable court may kindly be pleased to Direct Committee

GFIL to furnish the requisite information to the applicant and to consider the applicant company's proposal in accordance with law.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- (a) Direct the committee GFIL to furnish to the applicant details of 1091.331 Acre of agricultural land in Telangana, Mandal Choutuppal, District Nalgonda along with the valuation report of the income tax department; and
- (b) Further direct the Committee-GFIL to consider the applicant company's proposal when submitted for purchasing the entire 1091.331 Acre of Agricultural Lands in Andhra Pradesh Mandal Choutuppal, District Nalgonda and the applicant is willing to furnish bank guarantee for the entire sale consideration or in the alternative deposit sale consideration in the manner as would be advised by the Committee GFIL or as may be directed by this Hon'ble Court and within such time as may be directed;

(c) pass such other and further orders which may be deemed fit and proper in the facts and circumstances of the case as also in the interests of justice.

DRAWN AND FILED BY

NEW DELHI

(SHAIENDRA BHARDWAJ)

Petition Drawn on: 15.11.2022 ADVOCATE FOR THE PETITIONER

Filed on: 15.11.2022

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (CIVIL) NO. 188/2004

IN THE MATTER OF:

M/S. RAIGANJ CONSUMER FORUM

.....Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

.....Respondent(s)

AFFIDAVIT

I, K. Rajashekar Reddy S/o Shri Ramachandra Reddy, aged 50 years, Director (Business Development), M/s Sudhakara Infratech Pvt Ltd, (Corporate Office) Flat No. 304, Metro Residency, Rajbhavan Road, Somajiguda, Hyderabad – 500082, presently at New Delhi, do hereby solemnly affirm that:

1. That I am applicant in the above case and I am fully conversant with the facts and circumstances of the case. Hence, I am in a position to depose the present affidavit.
2. That I have gone through and understood the contents Para 1 to 15 of the accompanying application for directions and I state that the facts stated herein are true and correct to my knowledge and belief.

For Sudhakara Infratech Pvt. Ltd.


Director
DEPONENT

VERIFICATION :-

I swear that the contents of my above affidavit are true and correct to my knowledge & belief and nothing material is suppressed or concealed there from. Verified at New Delhi on this 15th day of November 2022.

For Submitter
Pvt. Ltd.


Director

DEPONENT