

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
I.A. NO. 117348 OF 2026
IN
WRIT PETITION (CIVIL) NO. 188 OF 2004

IN THE MATTER OF:

M/s Raiganj Consumer Forum

...Petitioner

Versus

Union of India & Ors.

...Respondents

AND IN THE MATTER OF:

Shri Hritesh Kumar Sinha

...Applicant

I.A. NO. 117348 OF 2026
REJOINDER ON BEHALF OF THE APPLICANT, SHRI H.K.
SINHA, TO THE REPLY DATED 16.09.2026 FILED BY MR.
NIKHIL KANT SYAL TO I.A. NO. 117348 OF 2026

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ADVOCATE FOR THE APPLICANT: ADITYA SONI

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New Delhi
Dated: 16.09.2026

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REJOINDER ON BEHALF OF THE APPLICANT, SHRI H.K. SINHA, TO THE REPLY DATED 16.09.2026 FILED BY MR. NIKHIL KANT SYAL TO I.A. NO. 117348 OF 2026

TO,

THE HON'BLE THE CHIEF JUSTICE OF INDIA AND HIS
 COMPANION JUSTICES OF THE HON'BLE SUPREME COURT OF
 INDIA

MOST RESPECTFULLY SHOWETH:

1. That the present short rejoinder is filed on behalf of the Applicant, Shri Hritesh Kumar Sinha, to the reply dated 16.09.2026 filed by Mr. Nikhil Kant Syal ("the Respondent") to I.A. No. 117348 of 2026. Save what is expressly admitted, every averment in the reply is denied. The contents of I.A. No. 117348 of 2026 and of the Applicant's rejoinder dated 09.09.2026 to the reply of the Committee-GFIL are reiterated and may be read as part of this rejoinder.

2. That the reply was served a day before the listing on 17.09.2026, well beyond the two weeks allowed by paragraph 8 of the order dated 06.08.2026. This rejoinder is therefore confined to the points essential for the hearing. The Applicant craves leave of this Hon'ble Court to file a detailed rejoinder and such further documents as may be necessary, should this Hon'ble Court so require.
3. That the Respondent has not traversed paragraphs 3 to 15 of I.A. No. 117348 of 2026, which set out the history of failed realisation, the proposed mechanism and its safeguards, and has stated that they "do not require response" (para 11, p. 7 of the reply). Those averments stand unrebutted. The reply confines itself to an attack on the Applicant's status, which is answered below.
4. That the Respondent himself stands arraigned in Contempt Petition (Civil) No. 942 of 2021 in Transferred Case (Civil) No. 2 of 2004, filed by the Committee-GFIL and listed with these matters, and is named in FIR No. 192 of 2007, P.S. Jafarpur Kalan, as recorded by the Committee-GFIL in paragraph 15 of its reply dated 20.08.2026 to I.A. No. 228664 of 2026. The reply is silent on both.

PARA-WISE REPLY

5. **Para 1:** The contents of para 1 of the reply are formal and call for no response, save that the reply has been filed beyond the time allowed by the order dated 06.08.2026.
6. **Para 2:** The contents of para 2 of the reply are wrong and denied, being false and misleading. The Applicant is an original promoter and subscriber of GFIL and GPL, and the only surviving original promoter of the Golden Forest group. The Committee-GFIL's own published case history records that the group was promoted by A.L.

Syal, R.K. Syal, Neena Syal, Pamila Syal, Bimla Syal and H.K. Sinha, and that all of them except H.K. Sinha have died. The Applicant has never claimed to be a present director of GFIL. Annexure R-1 to the reply of the Respondent is only a notice dated 27.08.1992 of the 5th Annual General Meeting to be held on 21.09.1992, stating that the Applicant retired by rotation. It is not a resignation, and nothing turns on the date of 27.09.1992 given in the reply. If anything, it confirms that the Applicant was a director of GFIL, which the Respondent elsewhere seeks to deny. Retirement from the Board has no bearing on the Applicant's status as promoter and subscriber, or on his shareholding.

7. **Para 3:** The contents of para 3 of the reply are wrong and denied, being false and fabricated. The Applicant and Smt. Romila Sinha never sold or transferred their shares in GFIL, GPL or any group company, and never received any consideration. Annexure R-2 to the reply of the Respondent is false and fabricated, and the Applicant has filed a criminal complaint in that regard before the Commissioner of Police, Panchkula, Haryana – 134114. Without prejudice, the document is self-contradictory on its face:
 - (a) the reply says the shares were transferred when the Sinhas were shareholders "till 1999", yet the document is endorsed 12.12.2002;
 - (b) on 12.12.2002 the Applicant was in custody, having been granted bail by this Hon'ble Court only on 26.04.2004;
 - (c) it names no number of shares, folio, transfer instrument or date of transfer, and the words "and GPL" are a handwritten insertion above the typed line;

- (d) it states a consideration of Rs. 1,08,000/- for shares in three companies, whereas the affidavit of Mr. D.V. Kohli relied upon by the Respondent before the learned Amicus Curiae states Rs. 25,000/- each for the GFIL shares alone; and
- (e) an independent forensic examination report dated 04.04.2026 has found the disputed signatures attributed to the Applicant and Smt. Romila Sinha to be copied forgeries.

The Registrar of Companies, Punjab and Chandigarh, by letter No. ROC/CHD/2026/302 dated 02.07.2026, has confirmed that no share-transfer deed or filing, and no affidavit or declaration of transfer by the Applicant or Smt. Romila Sinha, is available on its record (Annexure R-1 to the Applicant's rejoinder dated 09.09.2026, pp. 23–26).

8. **Para 4:** The contents of para 4 of the reply are wrong and denied, being incorrect and contrary to the record. Annexure R-3 to the reply of the Respondent is the very document relied upon by the Committee-GFIL, which has already been answered in paragraphs 3 to 10 of the Applicant's rejoinder dated 09.09.2026. It is an annual return, not an audit report; no transfer deed or filing supporting it is on the record of the Registrar of Companies; and its own transfer entries show Smt. Pamila Syal as transferor and the Sinhas as transferees, the reverse of what is alleged. A return said to be filed pursuant to an Annual General Meeting of 29.09.2000 cannot record a transfer which, on the Respondent's own Annexure R-2, took place only on 12.12.2002. The Respondent's claim to represent Madhulika Syal and Madhurima Syal is unsupported by any authorisation. The paid-up capital of GFIL is Rs. 26.50 crore, of

which Rs. 26.40 crore (99.62%) is held by GPL; all individual equity together is Rs. 10 lakh, or 0.38%.

9. **Para 5:** The contents of para 5 of the reply, and the statement of the Committee-GFIL reproduced therein, are wrong and denied, being incorrect, for the reasons in paragraph 8 above and in the Applicant's rejoinder dated 09.09.2026 and his application dated 08.09.2026 for taking the Registrar of Companies record on file. The quotation itself names the transferee as "Pamila Sinha", which is incorrect.
10. **Para 6:** The contents of para 6 of the reply are wrong and denied, being false, misleading and a deliberate misreading of the judgment dated 22.12.2015 of the learned Judicial Magistrate 1st Class, Hoshiarpur (Annexure R-4 to the reply of the Respondent):
 - (a) The case of the prosecution, as reproduced in para 2 of the judgment (p. 25), is stated to concern "M/s Golden Projects India Limited", said to be registered under No. 7310 on 23.02.1989. The contention of defence counsel at para 39 (pp. 44–45), on which the Respondent relies, was advanced in the context of that case. It is mischievous of the Respondent to present that contention as an admission concerning GFIL, and then to use it to deny the Applicant's status in both companies.
 - (b) The Applicant has always stated that he is an original promoter, subscriber and shareholder of both GFIL and GPL. He is an original subscriber of GPL and remains a shareholder of record (Annexures R-5 and R-10 to the Applicant's rejoinder dated 09.09.2026). He has never stated,

in those proceedings or anywhere else, that he was not a director or shareholder of GPL.

- (c) In any event, the passage at para 39 is only a record of the argument of defence counsel in a criminal trial, directed at vicarious liability. It is neither a finding nor an admission of the Applicant. It in fact states that he was appointed a director through Form 29 filed with the Registrar of Companies, which contradicts the Respondent's own case. The same judgment convicted Smt. Pamila Syal, to whom the shares are alleged to have been transferred.

11. **Para 7:** The contents of para 7 of the reply are wrong and denied, being a misreading of the order relied upon. By order dated 01.08.2016 in C.A. Nos. 54 and 55 of 2016 in C.P. No. 115 of 2002 (Annexure R-5 to the reply of the Respondent), the High Court only observed that the status of the applicants was "not clear" on the record then available and declined impleadment in that company petition. It did not adjudicate shareholding or promoter status. That record has since been placed before this Hon'ble Court through the Registrar of Companies letter dated 02.07.2026 and the inspection certificates dated 06.04.2026.
12. **Para 8:** The contents of para 8 of the reply are wrong and denied, being incorrect and misconceived in law. I.A. No. 64649 of 2018 was a joint application in a different context, when bids received on an "as is where is" basis were under consideration. It was withdrawn on 05.09.2018, the day this Hon'ble Court held that no sale could proceed until fresh valuation and that earlier auction orders did not survive (Annexure R-7 to the reply of the Respondent). A withdrawal is not an adjudication on merits. Circumstances have

since changed fundamentally: the Income Tax Department's final valuation dated 28.04.2025, the auction framework of 15.05.2025, and the continuing inability to realise the land bank. The present application is made in continuing supervisory proceedings and is maintainable. The Respondent himself has filed successive applications — I.A. No. 44362 of 2023, I.A. No. 275461 of 2024, I.A. No. 62141 of 2026 and I.A. No. 228664 of 2026.

13. **Para 9:** The contents of para 9 of the reply are wrong and denied, being false and baseless. There is no abuse of process. The defence taken in a criminal trial, that the Applicant had no role in the day-to-day conduct of the company, is entirely consistent with his being an original promoter and subscriber, and that defence was accepted by the Court.
14. **Para 10:** The contents of para 10 of the reply are wrong and denied, being incorrect, save that it is admitted that I.A. No. 134873 of 2022 (wrongly typed as "of 2023" in the application) was filed by Shri Aditya Kumar Sinha, the son of the Applicant. It was filed on the Applicant's behalf under the registered General Power of Attorney dated 29.08.2022 executed by the Applicant and Smt. Romila Sinha (Annexure R-12 to the Applicant's rejoinder dated 09.09.2026, pp. 151–157). The allegation that it was filed without authority is false and is denied.
15. **Para 11:** The contents of para 11 of the reply are wrong and denied, being false and devoid of merit. The Applicant has locus as the only surviving original promoter and subscriber of GFIL and GPL. The proposal seeks no title, money, fee or share of surplus for the Applicant; every sale is to be at or above 90% of Collector value,

with the entire consideration paid into the account designated by this Hon'ble Court. The allegation of ulterior motive is denied.

16. **Para 12:** The contents of para 12 of the reply are wrong and denied, being false and incorrect. The application deserves to be allowed, and the prayer for costs deserves to be rejected.

PRAYER

In view of the above, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- (a) take the present rejoinder on record;
- (b) dismiss the reply dated 16.09.2026 filed by Mr. Nikhil Kant Syal;
- (c) grant liberty to the Applicant to file a detailed rejoinder and additional documents, if so required; and
- (d) pass such other order(s) as this Hon'ble Court may deem fit and proper.

AND FOR THIS ACT OF KINDNESS, THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY.

FILED BY:


(ADITYA SONI)

ADVOCATE FOR THE APPLICANT

New Delhi

Dated: 16.09.2026

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. NO. _____ OF 2026

IN

W.P. (C) NO. 188 OF 2004

IN THE MATTER OF:

M/S RAIGANJ CONSUMER FORUM PETITIONER

VERSUS

UNION OF INDIA & OTHERS RESPONDENTS

AFFIDAVIT

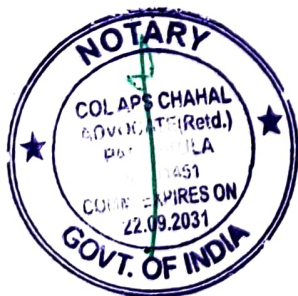
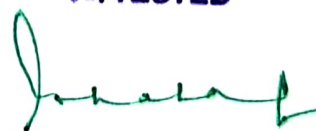
I, H.K. Sinha S/o Shri N.K. Sinha R/o H. No. 1934, Sector 21, Panchkula, Haryana 134112, do hereby solemnly affirm on oath and state as under:

1. That I am the Applicant in the accompanying rejoinder and, as such, am competent to swear and affirm this affidavit.
2. That accompanying rejoinder has been drafted under my instructions, and the contents thereof be read as part and parcel of this Affidavit, which are not being repeated herein for the sake of brevity. I say that the contents of the accompanying rejoinder are true and correct to the best of my knowledge, based on the record of the case and on legal advice received by me and believed to be correct, and that nothing material has been concealed therefrom.
3. The annexures annexed to the accompanying rejoinder are true copies of their respective originals.


DEPONENT
VERIFICATION

Verified at Panchkula on this 16 day of Sep, 2026, that the contents hereof are true and correct to my knowledge and that nothing stated herein is false and nothing material has been concealed from the same.

16 SEP 2026


DEPONENT
**ATTESTED**

APS CHAHAL No.11454
NOTARY PANCHKULA