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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CO.PET. 885/2015 & CO.APPL. 3522/2015, CO.APPL. 4198/2016, CO.APPL. 5048/2016, CO.APPL. 5169/2016, CO.APPL. 1163/2017, CO.APPL. 1164/2017, CO.APPL. 1165/2017, CO.APPL. 1166/2017, CO.APPL. 509/2018, CO.APPL. 411/2020, CO.APPL. 412/2020, CO.APPL. 413/2020, CO.APPL. 548/2020, CO.APPL. 550/2020, CO.APPL. 729/2020, CO.APPL. 735/2020, CO.APPL. 85/2021, CO.APPL. 209/2021, CO.APPL. 248/2021, CO.APPL. 275/2021, CO.APPL. 368/2021, CO.APPL. 382/202, CO.APPL. 526/2021, CO.APPL. 536/2021, CO.APPL. 607/2021, CO.APPL. 672/2021, CO.APPL. 168/2022, CO.APPL. 243/2022, CO.APPL. 404/2022, CO.APPL. 407/2022, CO.APPL. 531/2022, CO.APPL. 618/2022, CO.APPL. 679/2022, CO.APPL. 691/2022, CO.APPL. 173/2023, CO.APPL. 347/2023, CO.APPL. 475/2023, CO.APPL. 548/2023, CO.APPL. 844/2023, CO.APPL. 881/2023, CO.APPL. 957/2023, CM 957/2023, CO.APPL. 959/2023, CM 959/2023, CO.APPL. 961/2023, CO.APPL. 963/2023, CO.APPL. 965/2023, CO.APPL. 976/2023 CO.APPL. 978/2023, CO.APPL. 982/2023, CO.APPL. 984/2023,

COL. P.K. UBEROI (RETD.) & ANR. Petitioners

Through: Ms. Namrata Mohapatra,
Advocate in CO.APPL.
965/2023.

versus

VIGNESHWARA DEVELOPWELL PVT. LTD & ORS.

..... Respondents

Through: Mr. Kunal Sharma, SC for OL
Mr. Anuj Arora, Advocate for
applicant in CO. APPL.
967/2023.
Mr. H.L. Tikku, Sr. Advocate
with Mr. Prateek Aggarwal,



Advocate for applicant in CA
No. 243/2022
Mr. Keshav Thakur, Ms. Palak
Thakur, Mr. Ritik Kumar & Mr.
Prithvi Thakur, Advocates for
applicant in CO.APPLs.
957/2023, 958/2023, 959/2023,
960/2023, 961/2023, 962/2023.
Mr. Shyam Gopal & Mr.
Achyuth Ajith Kumar,
Advocates for applicant in CO.
APPL. 980/2023, CO APPL.
981/2023, CO APPL. 972/2023,
CO APPL. 973/2023, CO
APPL. 974/2023 & CO APPL.
975/2023.
Mr. Varun Tankha, Mr. Aman
Nandrajog & Mr. Arjun,
Advocates in CA No. 368/2021,
CA No. 526/2021, CA No.
407/2022, CA No. 691/2022 &
CA No. 914/2023 for Manasvi
Security Service.
Ms. Bhabna Das, Mr. Avijit
Patnaik & Ms. Inderdeep Kaur,
Advocates for applicant in
CO.APPL. 347/2023
Mr. Tushar Agarwal & Ms.
Roopse Pandita, Advocate in
CO. APPL. 475/2023.
Mr. Bharat Gupta & Mr. Varun
Tragic, Advocates for applicant
in CO.APPL. 548/2023
Mr. Naveen Mor, Mr. Ashwani
Tyagi, Mr. Manjeet & Mr.
Rohit, Advocates for applicant
in CA No. 977/2023 &
978/2023.
Mr. Naveen Mor, Mr. Ashwani
Tyagi, Mr. Manjeet & Mr.
Rohit, Advocates for applicant



in CA No. 844/2023 &
845/2023.

Mr. Naveen Mor, Mr. Ashwani
Tyagi, Mr. Manjeet & Mr.
Rohit, Advocates for applicant
in CO.APPL. 975/2023 & CO.
APPL.976/2023.

Mr. Naveen Mor, Mr. Ashwani
Tyagi, Mr. Manjeet & Mr.
Rohit, Advocates for applicant
in CO.APPL. 981/2023 & CO.
APPL.982/2023.

Mr. Naveen Mor, Mr. Ashwani
Tyagi, Mr. Manjeet & Mr.
Rohit, Advocates for applicant
in CO.APPL. 983/2023 & CO.
APPL.984/2023.

Mr. Anish Chawla, Advocate
for R-4.VVWA

Ms. Nipun Kapur, President
VVWA

Ms. Meenakshi, Advocate for
CO.APPL. 975/2023, 977/2023

Ms. Reena Choudhary,
Advocate for Ex-Management
of R-1 & 2.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

23.01.2024

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In the previous order dated 11.01.2024, the CO.APPL.
548/2023 was inadvertently indicated as 548/2020. Further,
CO.APPL. 347/2023 is wrongly indicated as 327/2023. The
typographical mistakes are accordingly taken note of.

CO.APPL. 548/2023

Having regard to the previous order passed by this Court dated
11.01.2024, notice of the present application appears to have been



served on respondent No.1/Sunil Dahiya and respondent No.2/Sanjay Kumar Dahiya.

Ms. Reena Chaudhary, learned counsel appearing for respondent Nos. 1 and 2 requests for some time to file a reply to the present application bearing No. CO.APPL. 548/2023 moved on behalf of the applicant/ Investors Sanghars Samiti besides CO.APPL. 347/2023 moved on behalf of the Official Liquidator (OL). Let reply be filed within four weeks from today.

It is clarified that in the CO.APPL. 548/2023, respondent Nos. 1 and 2 are also claimed to be in charge and control of the affairs of respondent Nos. 10 to 20 and it is assumed that they shall also be filing a reply on behalf of the said companies.

However, at this stage, learned Standing Counsel for the OL alludes to CO.APPL. 347/2023 drawing attention of this Court to the findings which have been recorded by the Serious Fraud Investigation Office (SFIO). It is requested that interim relief may be granted so as to preserve the properties of the companies which belong to respondent Nos. 1 to 20.

Learned Counsel for the respondent Nos. 1 and 2 oppose the relief, requesting for time to file a reply. At this stage, having heard learned counsel for the parties and having regard to the entire background of the matter, it is directed that in case respondent Nos. 1 and/or 2 if propose(s) to alienate, dispose of or sell any property belonging to them or pertaining to respondent Nos. 10 to 20 as provided in the relevant memo with the application, they shall seek prior permission of this Court.

CO.APPL. 243/2022

Some arguments have been addressed on behalf of learned



Senior Counsel for the applicant Ramphal and a request is made to release a part of the land measuring about 10.75 acres from the control of the OL. The said application requires deeper examination which are order to be decided after replies are filed in CO.APPL. 548/2023 and CO.APPL. 347/2023.

CO.APPL. 270/2023, CO.APPL. 271/2023, CO.APPL. 704/2023, CO. APPL. 845/2023, CO,APPL. 958/2023, CO.APPL. 960/2023, CO.APPL. 962/2023, CO.APPL. 964/2023, CO.APPL. 966/2023, CO.APPL. 967/2023, CO.APPL. 972/2023, CO.APPL. 973/2023, CO.APPL. 974/2024, CO.APPL. 975/2023, CO.APPL. 977/2023, CO.APPL. 979/2023, CO.APPL. 980/2023, CO.APPL. 981/2023, CO.APPL. 983/2023, CO.APPL. 985/2023 (for delay)

These are applications moved on behalf of the applicant/investors for seeking condonation of delay in filing the claims with the OL, with respect to the project which was going to be launched by the respondent company (in liquidation).

Having heard the learned counsel for the parties present, the delay is hereby condoned. Each of the applicant shall be at liberty to file their respective claims with the OL within four weeks from today which be decided by the OL in a time-bound manner.

All the applications stand disposed of accordingly.

CO.APPL. 844/2023 is yet to be disposed of. However, CO.APPL. 881/2023 already stands disposed of *vide* previous order dated 04.12.2023.

The Registry is directed to ensure that the said applications are not listed for hearing next time.

The matter shall now come up for hearing with respect to three pending applications which are CO. APPL. 243/2022, CO.APPL. 548/2023 & CO.APPL. 347/2023.

In case the OL has not filed any reply to CO.APPL. 243/2022,



the same be filed within four weeks.

**CO.APPL. 368/2021; CO.APPL. 526/2021; CO.APPL.407/2022
and CO.APPL. 691/2022**

All the applications have been moved on behalf of the applicant-M/s. Manasavi Security Agencies for release of their pending dues towards security arrangements made at the sites where the properties or the companies (in liquidations) are located.

The bills are yet to be verified by the empanelled Chartered Accountant besides should be in conformity with the directions passed by this Court dated 17.08.2023. Let the complete status report be filed within four weeks from today.

CO.APPL. 548/2023

Let fresh notice be issued to respondent Nos. 4 to 7 by all permissible modes including e-mail, *dasti* and approved courier as well.

Re-notify on 21.03.2024.

DHARMESH SHARMA, J.

JANUARY 23, 2024/sa