

**IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**I.A NO. OF 2024**

**IN**

**COMPANY APPEAL (AT)(INS) NO. 406 OF 2022**

**IN THE MATTER OF:**

**MR. RAM KISHOR ARORA,**

**SUSPENDED DIRECTOR OF M/S SUPERTECH LIMITED**

**...APPELLANT**

**VERSUS**

**UNION BANK OF INDIA & ANR.**

**... RESPONDENTS**

**AND IN THE MATTER OF:**

**APEX HEIGHTS PVT. LTD.,**

**THROUGH ITS AUTHORISED REPRESENTATIVE**

**...APPLICANT**

**VERSUS**

**RAM KISHORE ARORA AND ANR.**

**...RESPONDENTS**

**INDEX**

<b>SL. NO.</b>	<b>PARTICULARS</b>	<b>PAGES</b>
1.	APPLICATION UNDER RULE 11 OF THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL RULES, 2016 ON BEHALF OF APEX HEIGHTS PVT. LTD SEEKING CERTAIN DIRECTIONS FROM THIS HON'BLE TRIBUNAL, ALONG WITH AFFIDAVIT IN SUPPORT	
2.	<b><u>ANNEXURE A-1</u></b> A COPY OF THE BOARD RESOLUTION DATED 11.09.2024	
3.	<b><u>ANNEXURE A-2</u></b> A COPY OF THE ORDER DATED 12.02.2024 PASSED BY THIS HON'BLE TRIBUNAL	
4.	<b><u>ANNEXURE A-3</u></b> A COPY OF THE PROPOSAL DATED 05.06.2024 MADE BY THE APPLICANT	
5.	<b><u>ANNEXURE A-4</u></b> A COPY OF ORDER DATED 31.05.2024 PASSED BY THIS HON'BLE TRIBUNAL	

6.	<b><u>ANNEXURE A-5</u></b> A COPY OF LETTER DATED 28.04.2024 ISSUED BY GNIDA	
7.	VAKALATNAMA	

**THROUGH**

**NIKHIL KUMAR JHA  
ADVOCATE FOR THE APPLICANT  
N-602/19 SAURABH VIHAR,  
JAITPUR, BADARPUR,  
NEW DELHI-110044  
MOB: 8920107198  
EMAIL: advnikhil04@gmail.com**

**PLACE: NEW DELHI  
DATE: 11.09.2024**

**IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**I.A NO. OF 2024**

**IN**

**COMPANY APPEAL (AT)(INS) NO. 406 OF 2022**

**IN THE MATTER OF:**

**MR. RAM KISHOR ARORA,  
SUSPENDED DIRECTOR OF M/S SUPERTECH LIMITED**

**...APPELLANT**

**VERSUS**

**UNION BANK OF INDIA & ANR.**

**... RESPONDENTS**

**AND IN THE MATTER OF:**

**APEX HEIGHTS PVT. LTD.,  
THROUGH ITS AUTHORISED REPRESENTATIVE**

**...APPLICANT**

**VERSUS**

**RAM KISHORE ARORA AND ANR.**

**...RESPONDENTS**

**MEMO OF PARTIES**

**APEX HEIGHTS PVT. LTD  
THROUGH ITS AUTHORISED REPRESENTATIVE  
APEX D RIO, 526/1, AHINSA KHAND 2  
INDIRAPURAM, GHAZIABAD**

**...APPLICANT**

**VERSUS**

- 1. RAM KISHOR ARORA  
SUSPENDED DIRECTOR OF SUPERTECH LIMITED  
C-1/10, SECTOR 36, NOIDA**
- 2. UNION BANK OF INDIA  
26/28-D, CONNAUGHT PLACE  
NEW DELHI 110001**

**...RESPONDENTS**

**THROUGH**

**NIKHIL KUMAR JHA  
ADVOCATE FOR THE APPLICANT  
N-602/19 SAURABH VIHAR,  
JAITPUR, BADARPUR,  
NEW DELHI-110044  
MOB: 8920107198  
EMAIL: advnikhil04@gmail.com**

**PLACE: NEW DELHI**

**DATE: 11.09.2024**



of the applicant for the underlying land admeasuring 62.6 Acres situated at Plot No SC 02 D, Sector 27 Greater Noida, by the Greater Noida Authority.

### **Brief Facts**

2. Corporate Insolvency Resolution Process of Supertech was initiated vide order dated 25.03.2022 by Ld. National Company Law Tribunal, New Delhi (“Ld. NCLT”) passed in CP IB ND 204 of 2020.
3. The abovementioned order passed by the Ld. NCLT was challenged by the promoter of Supertech Ltd. by way of the captioned appeal. Vide the order dated 10.06.2022, this Hon’ble Tribunal was pleased to pass an interim order/direction whereby the Committee of Creditors (“CoC”) was to be formed only in one project i.e., Eco Village 2 and all other projects were to be kept as going concern by the Interim Resolution Professional (“IRP”) with assistance of the promoters/directors of Supertech Ltd. The said interim directions were challenged before the Hon’ble Supreme Court of India vide Civil Appeal Nos.5941 of 2022 and Civil Appeal No.1975. Further, Hon’ble Supreme Court of India was pleased to uphold the interim order passed by this Hon’ble Tribunal and granted liberty to the promoters to bring in investments.
4. Furthermore, this Hon’ble Tribunal was pleased to consider the proposal of project wise resolution of all the projects being constructed under the banner of Supertech Ltd. and vide its order dated 12.02.2024 directed the IRP to prepare a draft proposal of project wise resolution for the Non-Eco Village II projects, collect inputs on it from the stakeholders and submit these draft proposals for consideration of

the Hon'ble Appellate Tribunal within 4 weeks from the date of the said order. A copy of the order dated 12.02.2024 passed by this Hon'ble Tribunal is annexed herewith as **ANNEXURE A-2**.

5. In the meanwhile, upon the request of the promoters of Supertech Ltd. and upon preliminary due diligence, the Applicant and promoters (Appellant) executed a preliminary term sheet dated 02.05.2024 for taking over the said project "Supertech Sports Village" and the underlying land situated at Plot No SC 02 D, Sector 27 Greater Noida, as a Co-Developer, originally allotted to Supertech Limited.

Thereafter, the said proposal (term sheet) was revised consequent to discussions held with the IRP and other stakeholders. Furthermore, the said revised proposal dated 05.06.2024 was also shared with the Greater Noida Authority for takeover of the said project as a Co-Developer. A copy of the proposal dated 05.06.2024 made by the applicant is annexed herewith as **ANNEXURE A-3**.

6. Subsequently, and upon submission of a report by the IRP on the project wise proposal was considered by this Hon'ble Tribunal along with objections to it. Hence, vide its order dated 31.05.2024, this Hon'ble Tribunal was of view that a way forward for project wise resolution would be undertaken and noted the following-:

*8. All the parties before us have expressed their agreement for project-wise resolution for Non-Eco-Village-II Projects, which we have already indicated in our order dated 12.02.2024. We, thus, have to find out way forward for project-wise resolution. When the project-wise resolution would be undertaken, project-wise meeting of all stakeholders needs to be undertaken. All issues pertaining to a particular project has to be considered and IRP is to submit final proposal for project-wise resolution,*

*after conducting the project wise stakeholders meeting and after obtaining the views of all stakeholders.*

A copy of order dated 31.05.2024 passed by this Hon'ble Tribunal is annexed herewith as **ANNEXURE A-4**.

7. It is also pertinent to mention that the promoters of Supertech Ltd. have written to the Greater Noida Authority for allowing the Applicant to be a co-developer of the project. The said permission is under consideration by the Authority. A Copy of letter dated 28.04.2024 issued by GNIDA is annexed herewith as **ANNEXURE A-5**.

***Details of Term Sheet/ Proposal made by the Applicant:***

8. In view of the term sheet and the order passed by this Hon'ble Tribunal, the Applicant in a joint meeting held on 19.06.2024 along with the IRP, ex promoters and other stakeholders, discussed the plan and way forward to take over the project and payment plans. It is submitted that a representation regarding the credentials of the Applicant were provided by the Applicant to the stakeholders as well as the IRP.
9. The essential features of the term sheet are as follows:-
  - a) Supertech Ltd. will execute sub lease in favour of the Applicant for the project land admeasuring 62.5 acres.
  - b) Applicant undertakes to pay Rs. 100 Crores to Supertech Limited and as per the plan approved by this Hon'ble Tribunal.
  - c) 25 percent of the current outstanding of the land authority/Greater Noida Authority shall be paid upfront i.e., initially, 50 crores shall be paid and for the rest amount undated/post dated cheques shall be deposited with the Authority.

- d) The remaining amount along with interest shall be rescheduled, payable to the Authority in 8 years by way of escrow mechanism.
  - e) All receipts against the bookings of units in the project will be deposited in a separate escrow account from which land payment @25% will be credited to the account of land authority.
  - f) The Applicant will develop the project as per standards provided for by the Greater Noida Authority.
  - g) It is understood that Rs. 41,00,00,000/- (Rupees Forty One Crores) have been received by Supertech by the sale of inventory which is to adjusted either by refunding to homebuyers for the customers willing to seek refund or in case of re allotment of units, the Applicant shall reduce the already paid amounts from the total consideration or issue credit notes to the Homebuyers.
10. Hence, in view of the understanding and looking at the viability of the project, the Applicant herein is willing to take over the project and purchase the said land to develop the project as a co-developer.
11. The instant application is being preferred with a bona fide intent. It is submitted that if the instant application is allowed no prejudice will be caused to any other party.

### **PRAYER**

In the abovementioned facts and circumstances, the Applicant humbly prays to this Hon'ble Tribunal may be pleased to -:

- (a) Allow the instant application
- (b) Allow the Applicant to take over the land admeasuring 251371 Sq mtrs situated at Plot No SC 02 D, Sector 27 Greater Noida, as a Co-Developer in terms the proposal made by the applicant on 05.06.2024.

- c. Pass any other further order as this Hon'ble Tribunal may deem fit and proper under the facts and circumstances of the instant case.



APPLICANT

THROUGH

NIKHIL KUMAR JHA  
ADVOCATE FOR THE APPLICANT  
N-602/19 SAURABH VIHAR,  
JAITPUR, BADARPUR,  
NEW DELHI-110024  
MOB: 8920107198  
EMAIL: advnikhil04@gmail.com

PLACE: NEW DELHI

DATE: 11.09.2024

**DECLARATION BY APPLICANT**

The Applicant above named hereby solemnly declares that nothing material has been concealed or suppressed and further declares that the enclosures and typed set of material papers relied upon and filed herewith are true copies of the originals/fair reproduction of the originals/true translation thereof.

Verified at New Delhi on this 11<sup>th</sup> day of September, 2024

Nishij  
COUNSEL FOR THE APPLICANT

Vikas  
APPLICANT



**VERIFICATION**

I, Vikas Goel, S/o R.K Goel , aged about 48 years, resident of C-801 Apex Green vally Sector -9 Vaishali Ghaziabad -201009 of the Applicant, do hereby verify that the contents of the Application from Paras 1 to 11 are true to my personal knowledge and are based on official record and are believed to be true on legal advice and that I have not suppressed any material facts and that I have not suppressed any material facts.

Verified and signed at New Delhi on this 11<sup>th</sup> day of September, 2024.

Vikas  
APPLICANT

PLACE: NEW DELHI  
DATED: 11.09.2024

IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
I.A NO. OF 2024

IN

COMPANY APPEAL (AT)(INS) NO. 406 OF 2022

IN THE MATTER OF:

MR. RAM KISHOR ARORA,

SUSPENDED DIRECTOR OF M/S SUPERTECH LIMITED

...APPELLANT

VERSUS

UNION BANK OF INDIA & ANR.

... RESPONDENTS

AND IN THE MATTER OF:

APEX HEIGHTS PVT. LTD.,

THROUGH ITS AUTHORISED REPRESENTATIVE

...APPLICANT

VERSUS

RAM KISHORE ARORA AND ANR.

...RESPONDENTS

AFFIDAVIT

I, Vikas Goel, S/o R.K Goel , aged about 48 years, resident of C-801 Apex Green vally Sector -9 Vaishali Ghaziabad -201009 presently at New Delhi, do hereby solemnly affirm and state as under:

1. I say that am the Power of Attorney Holder/ Authorised Signatory of the Applicant, hence duly authorised to file the present application and as such well conversant with the facts and circumstances of the case. Hence, am competent to swear this Affidavit.

I have read and understood the contents of the accompanying application and state that the contents of Para 1 to 11 are true and correct to the best of my knowledge and based on the records available of the Applicants.

3. That I state that the Annexure to the accompanying Application are true and exact copies of their respective original documents.

PLACE: NEW DELHI

DATED: 11.09.2024

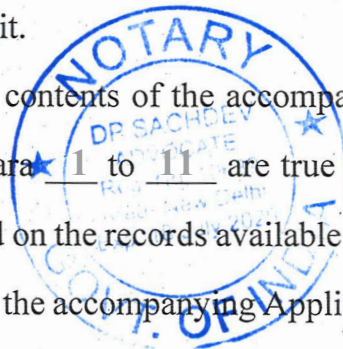
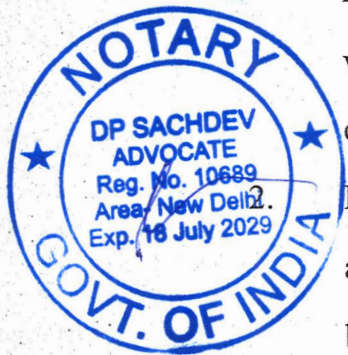
No. of corrections on page nos.

Identified by:

Before me:

Sworn/solemnly affirmed before me on this 11<sup>th</sup> day of September, 2024

DEPONENT

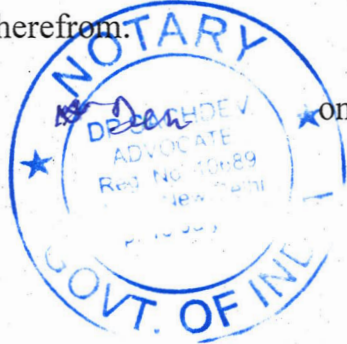


Dr 22/21/2024  
dt 11/9/2024

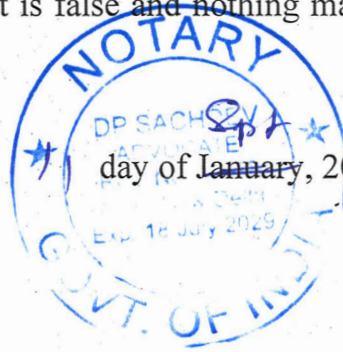
VERIFICATION

I, the above-named deponent, do hereby verify that the contents of the forgoing affidavit are true and correct no part of it is false and nothing material has been concealed therefrom.

Verified at



on this



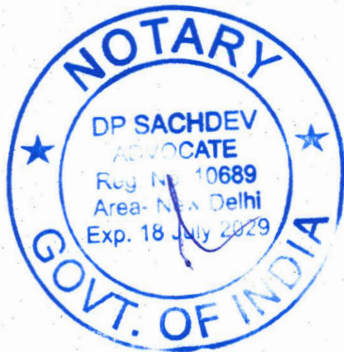
day of January, 2024.



DEPONENT

*Mishra*  
I identify the Executant/ Deponent  
who has Signed in my Presence  
on 11/9/2024

Sl. No. 835/2/2024  
dt 11/9/2024



ATTESTED

*[Signature]* 11/9/2024  
NOTARY PUBLIC

**BOARD RESOLUTION**

**CERTIFIED COPY OF MINUTES OF MEETING OF THE BOARD OF DIRECTORS OF M/S APEX HEIGHTS PVT.LTD. HELD ON 11<sup>th</sup> Sep 2024 AT S-672 SCHOOL BLOCK SHAKRPUR DELHI -110092**

**“RESOLVED THAT Mr. Vikas Goel S/o R.K.Goel R/o C-801 Apex Green Vallay Sector -9 Vaishali Ghaziabad -201012 is hereby appointed as the Authorized Representative for and on behalf of the Company to represent it, before the Hon’ble National Company Law Appellate Tribunal / Petitions/Applications/Complaints and for conducting trail under the various provisions of any statues across India. Complaint No.- (AT)(INS) NO. 406 OF 2022 MR. RAM KISHOR ARORA, SUSPENDED DIRECTOR OF M/S SUPERTECH LIMITED VS UNION BANK OF INDIA & ANR. AND IN THE MATTER OF: APEX HEIGHTS PVT. LTD.,**

**“RESOLVED FURTHER THAT Mr. Vikas Goel S/o R.K.Goel R/o C-801 Apex Green Vallay Sector -9 Vaishali is further authorized to represent the Company before any court, tribunal, body or authority to all intents, purposes in connection of any legal proceedings being pending and initiated by the Company. He is further authorized to appear for and on behalf of the Company and to prosecute and defend all actions, proceedings, to sign and verify all Plaints, Complaints, written statements, pleadings, appeals, affidavits and other pleadings, Applications, Petitions, or documents to Court, to tender Evidence, admit or deny documents, depose in the court/ Forum for and on behalf of the Company, to deposit, withdraw and receive documents and money or moneys from the Court or from the opposite party, either in execution of the decree or otherwise and upon receipt payment thereof, to sign and deliver proper receipts, discharges for the same. He is further authorized to engage any solicitor, advocate or advocates or counsel to act and plead and otherwise conduct the said suit, or any proceedings arising therefrom, whenever he thinks proper to do so and to do all other lawful acts and things in connection with the said proceedings as he may deem fit.**

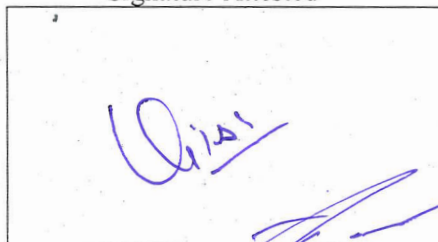
**Certified True Copy**

**M/S APEX HEIGHTS PRIVATE LIMITED .**

**For Apex Heights Pvt Ltd**

**Director**

**Signature Attested**



# ANNEXURE A-2

## NATIONAL COMPANY LAW APPELLATE TRIBUNAL PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Ins.) No. 406 of 2022 &  
I.A. No. 2387 of 2023

### IN THE MATTER OF:

**Ram Kishor Arora**  
**Suspended Director of Supertech Ltd.**

**....Appellant**

**Vs.**

**Union Bank of India & Anr.**

**....Respondents**

### **Present:**

Mr. Abhinav Vasisht, Sr. Advocate with Mr. Nikhil Mendiratta, Mr. Agastya Sen, Advocates in IA no. 3776 of 2022.

Mr. Nakul Dewan, Sr. Advocate, Mr. Somdutta Bhattacharya, Ms. Kiran Sharma, Ms. Niharika Sharma, Ms. Himani Chhabra, Mr. Ashish Mukhi, Advocates for RP of Supertech.

Mr. Hitesh Goel, RP in person.

Mr. Abhijeet Sinha, Sr. Advocate with Mr. Siddharth Bhatli, Ms. Apurva Praveen, Ms. Khyati Jain, Ms. Heena Kochar, Advocates for Appellant.

Mr. Pawan Shree Agrawal, Advocate in I.A. No. 3619 of 2023.

Mr. Sourav Roy, Mr. Vasudev Singh, Mr. Kaushal Sharma, Mr. Atharva Kotwal, Advocates in I.A. No. 3206 of 2022.

Mr. Shaurya Krishna, Mr. Amit Garg, Advocates for Applicant in IA No. 4713/2022.

Mr. Rohan Thowani, Mr. Pratul Pratap Singh, Advocates.

Mr. Rohit Oberoi, Ms. Jhanvi Vashisht, Ms. Mehak Bhalla, Advocates in IA No. 4574, 4775/2022.

Mr. Tanveer Oberoi, Advocate for Applicant in IA No. 4316 of 2023.

Mr. Sarthak Sharma, Advocate for Applicant in IA No. 2717 of 2022, 4213 of 2022.

Mr. M.L. Lahoty, Mr. Anchit Sripat, Advocates.

Mr. Sahil Sethi, Mr. Samridh Bindal, Mr. Vikash Kumar, Advocates for

Applicant in I.A. No. 4306 of 2023.

Mr. M.P Sahay, Ms. Awanitika, Mr. Sachin Kharb, Mr. Tushar Sharma, Advocates for Applicant.

Mr. Alok Kumar, Ms. Deepti Bhardwaj, Mr. Jivtresh Singh Sandhu, Advocates for R-1 (UBI).

Mr. Gopal Jain, Sr. Advocate with Mr. Ajay Bhargava, Ms. Vanita Bhargava, Ms. Wamika Trehan, Mr. Siddhant Kumar, Advocates for L&T finance in I.A. No. 3034 of 2022.

Mr. Amish Tandon, Ms. Anushree Kulkarni, Advocates for Applicant in I.A. No. 3281 of 2022.

**ORDER**  
**(HYBRID MODE)**

**12.02.2024:** In pursuance to our order passed on 22.11.2023, 2<sup>nd</sup> Status Report has been filed by IRP dated 11.02.2024 and earlier Status Report was filed on 15.01.2024. In our order dated 22.11.2023, we issued following direction in paragraphs 4,7 & 9:-

*“4. Learned Counsel for L&T Finance and Union Bank of India has agreed that 3-4 weeks time be allowed. Learned Counsel for the IRP has also in paragraph 5 of the Conclusion & Way Forward has opined that Varde Partners be granted and exclusivity period of 3-4 weeks to analyse and evaluate the transaction using the available due diligence report.*

*7. We, thus, are of the view that side by side granting time to the Varde Partners for evaluate and come with term sheet, if any, the IRP with the lender shall devise an alternate mechanism to carry out the Project of Non-Eco Village-II and on the next date in event no interim finance comes forward shall submit a alternative mechanism report for consideration of the Court so further steps*

*shall be taken forward. Enough time has been given for arranging a interim finance and we are not inclined to grant any further time for exploring a interim finance except the time which is being allowed under this order.*

*9. In view of the aforesaid, we allow four weeks time for Varde Parterns to analyse and come with a term sheet duly vetted by the IRP and the Steering Committee. As directed above the IRP with the Steering Committee and lenders may devise an alternative mechanism and that may also be filed on the next date of hearing.”*

2. In the report which has been submitted by IRP dated 11.02.2024, it is submitted that certain progress has been made with regard to Varde Partners proposal for interim finance and Varde team has interacted with the IRP visited the sites and obtained necessary information and has done its due diligence sample of 707 customers were also shared by IRP. However, the report indicates that as on date no term sheet has been received, nor any concrete proposal for extending the interim finance. We had already in our order dated 22.11.2023 in paragraph 7 as extracted above has directed the IRP with the lenders to devise an alternative mechanism to carry out the project of Non-Eco Village-II.

3. Learned Counsel appearing for the Lenders submitted that sufficient time has been already granted for interim finance which has not yet come although several opportunities were granted. We, thus, are of the view that no further opportunity is required to be granted for interim finance. However, during consideration of these appeals if any final interim finance is received it

will be open for the IRP to apprise the Court with a term sheet and other materials.

4. Mr. Nakul Dewan, Learned Senior Counsel appearing for IRP submits that in view of directions which was issued in paragraph 7, the IRP has also collected certain data with regard to separate projects and has also discussed with the Steering Committee way forward.

5. The Corporate Debtor has several projects atleast 20 as noted in our earlier orders. Sufficient time has elapsed and no concrete proposal has come towards interim finance, Homebuyers are waiting for their units to be given to them. Homebuyers have also given substantial amount to the Corporate Debtor. Every project has different lenders, different charge holders.

6. Learned Counsel for the IRP submits that way forward can only be project wise resolution, for each project a concrete proposal has to be submitted in which after consultation with lenders and charge holders and the representative of the home buyers for that particular project. We, thus, are of the view that IRP be allowed to submit project wise resolution of the Corporate Debtor and for project wise resolution IRP shall prepare a draft proposal and send it to lenders and charge holders of the project and after receiving their inputs on the draft proposal may submit a proposal to the court for consideration. With regard to each project all concerned I.As shall also be considered while considering the projects. Let IRP finalize the project wise proposal and submit to the Court within a period of four weeks.

7. IRP has submitted that he shall give access to virtual data to the request which has been made by any stake holder after due verification.

8. Learned Counsel for the IRP referring to Status Report dated 15.01.2024 submitted that with regard to fire safety related issues the several safety work has been completed he has referred to Annexure A8 where Summary of safety-related work that has been planned, completed, and paid for till 05.01.2024 has been tabulated. It is submitted that amount of INR 8.6 crores has been spent towards the safety related work and details have been mentioned with regard to aforesaid safety related work in paragraph 4 of the report. In paragraph 4 (h) of the report following has been further stated:

*“4. h) In light of what have been stated hereinabove, if this Hon’ble Appellate Tribunal may permit the IRP to appropriate another INR 2.5 crore from funds lying in designated 30% accounts of the projects, to complete the pending safety related work as per the budget and plan proposed in the application filed by the IRP and will also be a significant improvement in ensuring the safety of occupants.”*

9. We permit the further release of another INR 2.5 crore from funds lying in designated 30% accounts as in term and conditions of earlier order dated 27.07.2023. IRP shall submit a detailed report regarding work done details of the payment and other details in the next report with regard to fire safety a separate report be submitted with regard to projects in question.

10. List this appeal on **22.03.2024** at **2.00 PM**.

11. Learned Counsel for the IRP has submitted that separate date be given with regard to Eco-Village-II Project in which CoC has already been constituted.

12. He has filed I.A. No. 303 of 2024 in Comp. App. (AT) (Ins.) No. 406 of 2022. Let I.A. No. 303 of 2024 be listed along with the appeal on **20.03.2024** at 2.00 PM.

**[Justice Ashok Bhushan]**  
**Chairperson**

**[Mr. Barun Mitra]**  
**Member (Technical)**

*sa/nn*

# ANNEXURE A-5



## ग्रेटर नौएडा औद्योगिक विकास प्राधिकरण

भूखण्ड संख्या -01, सैक्टर-कै0पी0 -04 ग्रेटर नौएडा सिटी, जिला- गौतम बुद्ध नगर, उत्तर प्रदेश

website : [www.greaternoidaauthority.in](http://www.greaternoidaauthority.in)

पत्रांक- ग्रेनो/वाणिज्यिक/2024/ 4911

दिनांक- 28 अगस्त, 2024

सेवा में,

मैसर्स सुपरटेक लिमिटेड  
सुपरटेक हाउस, बी-28-29, सैक्टर-58  
नौएडा, जिला-गौतमबुद्धनगर, उ0प्र0

**विषय-** Follow-up on Request for permission for induction of Co-Developer for Plot No. SC-02D, Sector-27, Greater Noida (U.P.)

महोदय,

कृपया अपने पत्र दिनांक 21.08.2024 का संदर्भ ग्रहण करने का कष्ट करें, जिसके माध्यम से आपने स्पोर्ट्स सिटी प्रोजेक्ट भूखण्ड संख्या-एससी-02डी, सैक्टर-27, क्षेत्रफल 253692.32 वर्ग मीटर को को-डेवलपर M/s. Apex Heights Pvt. Ltd. से पूर्ण कराने की अनुमति दिए जाने का अनुरोध किया है। साथ ही आई0आर0पी0 द्वारा भी अपने ईमेल पत्र दिनांक 14.08.2024 के माध्यम से Apex Heights Pvt. Ltd. के सम्बन्ध में प्रस्ताव दिनांक 02.05.2024 प्रस्तुत किया है।

उपरोक्त के सम्बन्ध में अवगत कराना है कि स्पोर्ट्स सिटी योजना-2/2014-2015 के अंतर्गत दिनांक 21.07.2014 को भूखण्ड संख्या-एससी-02, सैक्टर-27, क्षेत्रफल 708500 वर्ग मीटर का आवंटन कंसोरशियम के रूप में मैसर्स सुपरटेक लिमिटेड- लीड मेम्बर, मैसर्स अजनारा इंडिया लिमिटेड- रिलेवेन्ट मेम्बर, मैसर्स एमटेक बिल्डटेक प्रा0लि0-रिलेवेन्ट मेम्बर, मैसर्स औरा बिल्डवैल प्रा0लि0- रिलेवेन्ट मेम्बर तथा मैसर्स ए.जी. रियलटेक प्रा0लि0- रिलेवेन्ट मेम्बर के पक्ष में हुआ। कंसोरशियम मेम्बर्स द्वारा भूखण्ड का उप-विभाजन कराया गया, जिसके फलस्वरूप आपकी कम्पनी के पक्ष में उप-विभाजित भूखण्ड संख्या-एससी- 2डी, सैक्टर-27, क्षेत्रफल 253692.32 वर्ग मीटर की लीजडीड दिनांक 30.06.2015 को निष्पादित कराकर प्राधिकरण द्वारा कब्जा हस्तगत किया गया।

आपके अनुरोध के कम में अवगत कराना है कि उक्त भूखण्ड का प्रकरण वर्तमान में मा0 एन0सी0एल0टी0 में विचाराधीन है एवं आपका उपरोक्त पत्र विचाराधीन है तथा इस सम्बन्ध में जो भी निर्णय प्राधिकरण द्वारा लिया जायेगा, वह आपको भविष्य में सूचित किया जायेगा।

भवदीय,

विशेष कार्याधिकारी (वाणिज्यिक)

IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

I.A NO. OF 2024

IN

COMPANY APPEAL (AT)(INS) NO. 406 OF 2022

**IN THE MATTER OF:**

**MR. RAM KISHOR ARORA,  
SUSPENDED DIRECTOR OF M/S SUPERTECH LIMITED**

...APPELLANT

VERSUS

**UNION BANK OF INDIA & ANR.**

... RESPONDENTS

**AND IN THE MATTER OF:**

**APEX HEIGHTS PVT. LTD.,  
THROUGH ITS AUTHORISED REPRESENTATIVE**

...APPLICANT

VERSUS

**RAM KISHORE ARORA AND ANR.**

...RESPONDENTS

KNOW ALL to whom these presents shall come that I, vikas Goel the authorized signatory/ power of attorney holder, of the abovenamed applicant in the above case, hereby appoint **Mr. Nikhil Kumar Jha**, to be our Advocate in the above-noted case and authorize him:

To act, appear and plead in the above-noted case before this Authority/ Court or in any other Court in which the same may be tried or heard and also in the Appellate Court including High Courts/Supreme Court of India ..... subject to payment of fees.

To sign, file, verify and present pleadings, inspect files & documents & obtain copies thereof, appeal, cross objections or petitions for execution, review, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.

To file and take back documents, to admit &/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration, differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the court of the prosecution of the said case.

To appoint and instruct any other legal Practitioner or person authorising him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so & to sign the power of attorney on our behalf.

And I / We the undersigned to hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts as if done by me/us for all intents and purpose.

And I / We undertake that I / we or my / our duly authorised agent would appear in Court on all hearings & will inform the Advocate for appearance when the case is called.

And I / We undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.

"And I/We the undersigned do hereby agree that I/We shall not claim any compensation, nor the Advocate/s shall be liable for any compensation if he/she fails to appear in the court or fails to conduct or withdraws from the case due to non-payment of fee as per settlement or for reason of any request/call given by Bar Association/s or Councils/s."

And I/we undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/we hereby agree that once the fees is paid. I/we will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/we do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 11 day of September, 2024.

ACCEPTED

  
NIKHIL KUMAR JHA  
ADVOCATE FOR THE APPLICANT  
N-602/19 SAURABH VIHAR,  
JAITPUR, BADARPUR,  
NEW DELHI-110024  
MOB: 8920107198  
EMAIL: advnikhil04@gmail.com



CLIENT

