

ITEM NO.101

COURT NO.13

SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO.8049/2023

SWARNPREET KAUR & ANR.

Appellants

VERSUS

DLF HOME DEVELOPERS LTD. & ORS.

Respondents

[PART-HEARD BY HON'BLE AHSANUDDIN AMANULLAH AND HON'BLE R. MAHADEVAN, JJ.]

[TOP OF THE LIST]

IA No.236269/2023 - APPLICATION FOR PERMISSION; IA No.126482/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

WITH

C.A. No.7395/2024 (XVII-A)

[IA No.144485/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES; IA No.145591/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES; IA No.144500/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES; IA No.144479/2024 - STAY APPLICATION]

C.A. No.7984/2024 (XVII-A)

[IA No.147273/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.157354/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES; IA No.152202/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES; IA No.152187/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES; I.A. No.151049/2024 - STAY APPLICATION]

C.A. No.7985/2024 (XVII-A)

[IA No.148546/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.152292/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES; IA No.152186/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES; IA No.151044/2024 - STAY APPLICATION]

C.A. No.448/2026 (XVII-A)

[IA No.151070/2024 - STAY APPLICATION]

C.A. No.7989/2024 (XVII-A)

[IA No.147560/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.152343/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES; IA No.152147/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES; IA No.151065/2024 - STAY APPLICATION]

C.A. No.449/2026 (XVII-A)

C.A. No.8409/2024 (XVII-A)

C.A. No.8408/2024 (XVII-A)

WITH

T.P.(C) No.3044/2025

[TO BE TAKEN UP ALONG WITH ITEM NO. 101 I.E. PART-HEARD CA 8049/2023 ETC.]

[IA No.279031/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT]

DATE : 25-02-2026 These matters were heard today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

For Appellants

Mr. Senthil Jagadeesan, Sr. Adv.
Ms. Suriti Chowdhary, Adv.
Ms. Abiha Zaidi, AOR
Mr. Pritam Raman Giriya, Adv.
Ms. Arushi, Adv.
Ms. Tanya Sharma, Adv.
Mr. Punit Manoj Agarwal, Adv.
Mr. Bhumitra Dubey, Adv.
Mr. Ashish Bainsla, Adv.

Mr. Pinaki Misra, Sr. Adv.
Mr. Huzefa Ahmadi, Sr. Adv.
Ms. Ruby Singh Ahuja, Adv.
Ms. Seema Sundd, Adv.
Mr. Pravin Bahadur, Adv.
Mr. Jappanpreet Hora, Adv.
Ms. Megha Dugar, Adv.
Mr. Amit Agarwal, Adv.
Mr. Aditya Singh, Adv.
Mr. Snehil Srivastava, Adv.
Mr. Vedant Singh Chaudhary, Adv.
For M/s Karanjawala & Co., AOR

For Respondents

Mr. Senthil Jagadeesan, Sr. Adv.
Ms. Suriti Chowdhary, Adv.
Ms. Abiha Zaidi, AOR
Mr. Pritam Raman Giriya, Adv.
Ms. Arushi, Adv.
Ms. Tanya Sharma, Adv.
Mr. Punit Manoj Agarwal, Adv.
Mr. Bhumitra Dubey, Adv.
Mr. Ashish Bainsla, Adv.

Mr. Pinaki Misra, Sr. Adv.
Ms. Ruby Singh Ahuja, Adv.
Ms. Seema Sundd, Adv.
Mr. Pravin Bahadur, Adv.
Mr. Jappanpreet Hora, Adv.

Ms. Megha Dugar, Adv.
Mr. Amit Agarwal, Adv.
Mr. Aditya Singh, Adv.
Mr. Snehil Srivastava, Adv.
Mr. Vedant Singh Chaudhary, Adv.
For M/s Karanjawala & Co., AOR

Respondent-in-person

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. Rahul Khurana, AOR
Mr. Nikunj Gupta, Adv.
Mr. Sarthak Arya, Adv.
Mr. Yashwir Singh Hooda, Adv.
Ms. Yuvika Sharma, Adv.
Ms. Bhavya Singhla, Adv.

Mr. Shekhar Raj Sharma, A.A.G.
Mr. Akshay Amritanshu, AOR
Ms. Nidhi Narwal, Adv.
Ms. Srishti Jain, Adv.
Mr. Sarthak Srivastava, Adv.
Mr. Mayur Goyal, Adv.
Ms. Sudhindra Tripathi, Adv.

Mr. Shekhar Raj Sharma, A.A.G.
Mr. Samar Vijay Singh, AOR
Ms. Nidhi Narwal, Adv.
Ms. Srishti Jain, Adv.
Ms. Sabarni Som, Adv.
Mr. Aman Dev Sharma, Adv.
Mr. Gaj Singh, Adv.
Mr. Keshav Mittal, Adv.

Mr. Vipin Sanghi, Sr. Adv.
Ms. Rusheet Saluja, Adv.
For M/s Sarc Legal, AOR

Mr. S.V. Raju, Addl. Sol. Gen.

Mr. Himanshu Satija, AOR

O R D E R

Heard learned senior counsel and counsel for the parties.

2. The respondent no.1-Mr. Rohit Bhayana in C.A. No.7984/2024 has also been heard.

3. In the course of the hearing, many issues have been canvassed

by learned senior counsel and counsel for the appellants as also by respondent no.1 in C.A. No.7984/2024. In support of the multifarious contentions urged, on the factual as well as legal aspects, our attention was drawn to certain documents and photographs. We may note here that the same are not part of the record before this Court.

4. In reply, we have heard learned senior counsel/counsel for the respondent no.2-State of Haryana; respondent no.8-Haryana Shehri Vikas Pradhikaran (erstwhile Haryana Urban Development Authority), and; respondent no.10-Municipal Corporation of Gurugram. Additionally, learned senior counsel for DLF Home Developers Limited (hereinafter referred to as 'DLF') and learned senior counsel for respondent no.18-Primus Resident Condominium Association have also been heard.

5. Certain documents and photographs have been produced and arguments thereupon advanced to raise or counter allegations.

6. From the afore-stated, it transpires that there is a huge mismatch between the requirement(s) of law and what actually may, or rather is alleged, to have happened on the ground. Yet, basis the material already on record, *prima facie*, it is clear that there were many issues, in respect of the representation made, on behalf of DLF to the prospective buyers. These representations may not have been fully translated into reality.

7. This is one aspect. The other aspect meriting some examination is the role of the authorities, statutory or otherwise, who are regulatory and also meant to function as a safeguard for the interests of the ordinary consumer. We may take judicial notice of

the fact that in our nation, there are many who put their entire life-savings into buying one small house/flat of their own, that too at/towards the fag end of their careers or lives. Yet, they are often unable to realise their dreams.

8. We have bestowed anxious thought to what has emerged. It may, tentatively put, just be the tip of the proverbial iceberg. We are hard-pressed to reckon that it may be only a one-off incident. We are more concerned for the reason that in the organised real estate sector, such instances occur, we can well imagine the plight of the ordinary consumers.

9. A pensive consideration of the totality of factors at play has compelled us to take a very strict view of the matter. Accordingly, we requested Mr. S.V. Raju, learned Additional Solicitor General, through his good offices, to request Mr. Praveen Sood, Director, Central Bureau of Investigation (hereinafter referred to as 'CBI'), to appear before the Court so that, keeping in view the CBI's case-workload and related factors, we could find out as to whether the CBI would be able and willing to conduct an inquiry. Mr Sood, Director, CBI and Mr. Manoj Shashidhar, Special Director, CBI, have appeared. Gladly, the Director, CBI, stated that the CBI would conduct an inquiry, as desired by the Court.

10. The Court has interacted with and explained to Mr. Sood and Mr. Shashidhar the broad contours of the inquiry which is contemplated. We would, thus, request learned senior counsel for the appellants in C.A. No.8049/2023 and respondent no.1-Mr. Rohit Bhayana (in C.A. No.7984/2024) to personally apprise the Director, CBI about the matters, alongwith any materials they possess. Such

meeting shall take place in the office of the Director, CBI, on 27.02.2026 at 03PM.

11. Mr. Bhayana would not only handover all the relevant materials but shall also endeavour to prepare a synopsis chronologically/date-wise. If anything further is required, CBI may request him to furnish the same, if available. Thereafter, the CBI, after serving notice on the respondents concerned, may seek their assistance. Needless to add, CBI would also hear their side of the story.

12. We make it clear that any person or authority, whomsoever required, shall assist the CBI. The Director, CBI may constitute an appropriate team specifically for the above purpose. Such team shall discharge its duties independently of any fetter, as officers of this Court, under the overall supervision and control of the Director. Time spent on such work shall be counted as full-time duty for the CBI officers so nominated. The Director, CBI, may place on record the findings and progress of the inquiry on/before 25.04.2026. Mr. Raju, learned Additional Solicitor General, is requested to assist us thereon.

13. These cases be listed next on 28.04.2026 at 02PM. As we have examined the matters considerably, it is judicially expedient to treat them as part-heard. Ordered accordingly.

14. Before parting, we put a suggestion to learned senior counsel for DLF, as to whether it would be willing to pay upfront a sum of ₹1,00,000/- (Rupees One Lakh) to Mr. Bhayana as litigation expenses. The learned senior counsel for DLF, upon instructions,

graciously agreed to the same. The amount be transferred into Mr. Bhayana's bank account by DLF, within the next two working days, after account details are provided by Mr. Bhayana to learned counsel for DLF.

15. Mr. Bhayana and learned counsel for DLF shall compile all documents/materials/photographs, placed before the Court today, or any additional material which they wish to place reliance and file the same, after service on all other respondents, on/before 13.03.2026.

16. No definitive opinion has been expressed by us against or in favour of any person/authority *in praesenti*.

17. Registry to transmit a copy of this Order to the CBI forthwith.

(SAPNA BISHT)
COURT MASTER (SH)

(KOMAL)
COURT MASTER (NSH)