

**NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH**  
**NEW DELHI**

C. P. NO. 10/18/2015-CLB  
CA. NO.

**CORAM:**

**PRESENT: SH. R.VARDHARAJAN**  
**HON'BLE MEMBER (J)**



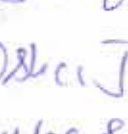
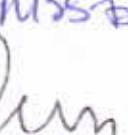
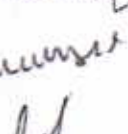


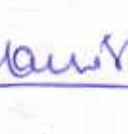








**SMT. INA MALHOTRA**  
**HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NEW DELHI BENCH OF  
THE NATIONAL COMPANY LAW TRIBUNAL ON 05.08.2016**

**NAME OF THE COMPANY: M/s. Unitech Ltd.**

**SECTION OF THE COMPANIES ACT: 74 (2)**

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
1.	Mr. Saurabh Kalia	Advs	A.R. of depositors Respondent (Company)	A. Misra
2.	Ms. Aishwarya			
3.	Palash Mishra	Adv.	[7 Depositors] DEPOSITOR	
3.	VIKAS SARDANA			
4.	VIKAS SARDANA HUF			
5.	LIDHARTH SARDANA HUF			
6.	SUNCEL SARDANA		DEPOSITOR	
7.	Shalini		Depositor	
8.	Vijay Bahadur Pandey		"	
9.	Reema Pandey		"	
10.	BRIJ MOHAN		Depositor	
11.	Chander Katar			
12.	Harkesh Singh		Depositors	
13.	J. K. SOMANI		Depositor	
14.	NABHA SOMANI		"	
15.	R. S. Mathur		"	
16.	Smt Sudershan Vohra		"	
17.	SUNIL GANDHI	F/OND. R 42107 FOLIO 1250405	Depositor	
18.	S. R. Prasad	folio 1283475	Depositor	
19.	Smt Bimla Kothari		"	

19.	Mr. Virash Kothari	Depositor	
20.	Mr. Ramkrishan Kothari	"	
21.	Mr. Sandeep Jain	Depositor	
22.	Mrs. Usha Jain	Depositor	
23.	Mr. Madhubala Oron	Depositor	
24.	Mr. Sunil Zonabhi	Depositor	
25.	DAVID BAT SINGH MOTILAL	Depositor	
(26)	D. V. Sardana	Depositor	
27)	LALIT KUMAR SAGAR	Depositor	
28)	Mrs. Munni Devi	- do -	
29)	Manish Kumar	Depositor	
30)	Dhamesh Bhatia	"	
31)	David Bat Singh	Depositor	
	as 1099		
32)	R.P. Suptel	"	
33)	Meen Suptel	"	
34)	SATILDA	"	
35)	Shivani	-	
36)	Siddhant Jain	Depositor	
37)	Smiti Devi	Depositor	
38)	Sumati Sharma	Depositor	
39)	Kamala Sharma	Depositor	
40)	Binod Bala	Depositor	
41.	N. K. GUPTA (for Sancha Gupta, Nishita Gupta, Nishita Gupta)	Depositor	

05/8/2016

5/8/16



## ORDER

A large number of investors are present in Court. Mr. Saurabh Kalia, Id. Counsel for the respondent has stated that he has only received notices from 7 applicants. He is put to notice of 62 more applications, copies of which have been given to him before this Bench. Other than these, there are other scores of individual investors who are before this Bench. All are directed to supply a copy to the Id. Counsel for the Respondent Company.

2. It is submitted by some investors that they were not aware about the enhancement of the fee now required to be paid. Since the enhanced fee structure is a recent amendment, the investors are granted one week to make good the deficiency.

3. The applications before us are under 73(4) of the Companies Act, 2013. There are several investors who are senior citizens seeking redressal from this Bench for return of the proceed of their fixed deposits. Some are suffering from ailments and are in dire urgent need of money to meet medical expenses. Most are in the sunset years of their lives and hope to get their money in their lifetime. They have been running from pillar to post, but except for assurances and promises have received nothing in their hands. All that they hold are several dishonoured cheques and empty promises. Their agitation also stems from the fact that though the Respondent Company portrays that it is in financial doldrums, its Directors still continue live in the lap of luxury. The agitated depositors submit that like some of the defaulting kingpins, those responsible and in charge of the affairs of the company may go abroad and leave the depositors in a lurch.

4. The balance sheet of the Respondent Company pertaining to March 2015 reflects several thousand crores given to its subsidiary companies as

having been written off. Ld. Counsel appearing for the Respondent is unable to explain the same to this Bench and submits that he would need instructions to explain the same.

5. In earlier proceedings under sec 74(2) of the Companies Act, 2013, the Managing Director, Shri Ajay Chandra had filed an affidavit undertaking to allocate Rs.30 crores towards part repayment of the matured amounts within 6 months starting from 01.04.2016 as well as make provisions of Rs.50 lacs a month for return of the proceeds to those applicants who required their money to meet the medical exigencies. Needless to say that no steps have been taken in this respect and the entire exercise was to procrastinate the repayments due to the depositors. Unfortunately as the petitions were dismissed no action was initiated for contempt. This Bench however cannot be a mute spectator to the grievances and untold harassment of the scores of investors, who have approached this forum with the fond hope of getting justice.

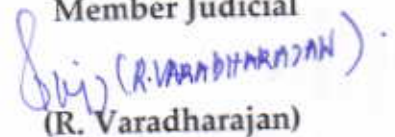
6. Keeping in view the grievances of these depositors and in the interest of justice, it would expedient and necessary in the background of this case, to direct the Whole Time Directors including the Managing Director of the company to be present before this Bench on 08.08.2016 at 2.00 p.m.

7. All the directors are directed to be present with their passports.



(Ina Malhotra)

Member Judicial



(R. Varadharajan)

Member Judicial