

ITEM NO.36

COURT NO.6

SECTION XVII-B

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(s).4473/2026

ONE CITY INFRASTRUCTURE PRIVATE LIMITED

Appellant(s)

VERSUS

GHAZIABAD DEVELOPMENT AUTHORITY & ORS.

Respondent(s)

FOR ADMISSION

IA No. 115699/2026 - EXEMPTION FROM FILING O.T.

Date : 30-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Appellant(s) : Mr. Nikhil Goel, Sr. Adv.
Ms. Anuja Pethia, AOR
Mr. Noor Shergill, Adv.
Ms. Kshirja Agarwal, Adv.
Mr. Rishabh Nigam, Adv.
Mr. Rishabh Govila, Adv.
Ms. Amisha Aggarwal, Adv.

For Respondent(s) : Ms. Madhavi Goradia Divan, Sr. Adv.
Mr. Rachit Mittal, AOR
Mr. Parish Mishra, Adv.
Mr. Kanishk Raj, Adv.
Ms. Srishti Agrawaal, Adv.
Mr. Abhishek Sinha, Adv.
Ms. Aayushi Kiran, Adv.
Mr. Shivansh Bansal, Adv.

Ms. Dr. Menaka Guruswamy, Sr. Adv.
Ms. Shaswati Parhi, Adv.
Mr. Nishant Verma, AOR

Mr. Vikas Singh, Sr. Adv.
Mr. Mohit Chaudhary, Adv.
Ms. Puja Sharma, Adv.
Mr. Kunal Sachdeva, Adv.
Ms. Madhuri Jain, Adv.
Mr. Naveen Sharma, Adv.

Mr. Lakshya Yadav, Adv.
Ms. Shreya Pandey, Adv.
Mr. Sarthak Tagra, Adv.
Ms. Aarushi Suri, Adv.
Ms. Eisha Jain, Adv.
Kings and Alliance LLP, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. In pursuance of our order passed yesterday, i.e., dated 29.07.2026, Mr. Guruprasad, Principal Secretary, Housing and Development Authority, Government of U.P. has joined the proceedings online. Mr. Nand Kishore Kalal, Vice-Chairman, Ghaziabad Development Authority is personally present in the Court today. Mr. Kalal is represented today by Ms. Madhavi Divan, the learned senior counsel.
2. We heard Ms. Dr. Menaka Guruswamy, the learned senior counsel appearing for the home-buyers, Mr. Nikhil Goel, the learned senior counsel appearing for the SRA and on the other hand, today, we also have Mr. Vikas Singh, the learned senior counsel appearing for the respondent no.3.
3. According to Dr. Menaka Guruswamy, the core issue that falls for the consideration of this Court is whether the Ghaziabad Development Authority (GDA) can lawfully continue to withhold renewal of the development license and sanction of the revised building plan and, thereby, stall the implementation of the resolution plan already approved under Section 31 of the IBC.

4. According to Dr. Guruswamy, the refusal at the end of the GDA is on technical grounds. At this stage, we must record what has been given to understand by Mr. Vikas Singh, the learned senior counsel appearing for the respondent no.3. According to Mr. Vikas Singh, the development license is not in the name of the SRA. The development license is in the name of the respondent no.3. To put it briefly, what we have been given to understand by Mr. Vikas Singh is that he holds the development license for 99 acres. Whatever development has been undertaken is on 26 acres of land. He is in possession of the balance portion of the land in question and he also proposes to develop the balance portion in future.

5. Mr. Singh does not dispute the fact that few towers have come up on the land admeasuring 26 acres. According to him, whatever construction has come up is in a very dilapidated condition today. He has many proposals to put forward with respect to the development of this 26 acres of land also. At this point of time, we do not want to say anything in this regard.

6. Today, all that we intend to do is to direct the State of U.P. and the GDA to sit together and take one final decision with regard to the development license and sanction of the revised building plans. To put it in other words, whatever proposal has been forwarded by the GDA to the State should be discussed at the earliest and a

reasoned order needs to be passed at the end of it with regard to what we have observed aforesaid.

7. Let this exercise be undertaken at the earliest and an appropriate decision be placed before this Court within a period of two weeks from today. Once we are in receipt of the final decision that the Government would take in consultation with the GDA, we shall, thereafter proceed to discuss further issues.

8. We impress upon Sh. Guruprasad as well as Sh. Kalal to have a thorough inspection of the entire site in question. They should visit the site with surveyors and officers who are experts in preparing sketches.

9. It shall be ensured that the 26 acres can be made habitable and access can be ensured without impinging upon the balance properties which is in the possession of the respondent no.3.

10. If the State and the GDA wants any assistance or any further information from the parties concerned, it shall be open for them to call them. We make it further clear that the inspection shall be in the presence of all the parties concerned.

11. Post the matter on 20.08.2026.

(HARPREET KAUR)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)