

Lissy Lekshmi vs M/S. Dewa Projects Private Limited

Lissy Lekshmi vs M/S. Dewa Projects Private Limited

SooperKanoon Citation : sooperkanoon.com/1296592

Court : Kerala

Decided On : Mar-25-2024

Judge : Honourable Mr.Justice N.Nagaresh

Appeal No. : WP(C)/2298/2017

Appellant : Lissy Lekshmi

Respondent : M/S. Dewa Projects Private Limited

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH MONDAY, THE 25TH DAY OF MARCH 2024 / 5TH CHAITHRA, 1946 WP(C) NO. 14289 OF 2016 PETITIONERS: 1 THE DEWA INVESTORS ASSOCIATES, ERNAKULAM,PIN-682 024, REPRESENTED BY ITS PRESIDENT, PRINCE JOSEPH, RESIDING AT 17D, EXPRESS ESTATE, KALoor P.O., ERNAKULAM-682 017. 2 JACOB XAVIER, SECRETARY, THE DEWA INVESTORS ASSOCIATION EDAPPALLY P.O., ERNAKULAM,PIN-682 024, RESIDING AT KAYYALAKAKATH, PALA P.O., KOTTAYAM-686 575. BY ADVS. SRI.ARUN THOMAS SRI.ALPHIN ANTONY SRI.JENNIS STEPHEN SRI.PEEYUS A.KOTTAM SRI.SANTHOSH MATHEW SRI.VIJAY V. PAUL

RESPONDENTS: 1 M/S. DEWA PROJECTS PRIVATE LIMITED, REGISTERED OFFICE AT S.S.KOVIL ROAD, THAMPANOR P.O., VANCHIYOOR, THIRUVANANTHAPURAM. 2 HOTEL VENUS INTERNATIONAL, S.S.KOVIL ROAD, THAMPANOR P.O., VANCHIYOOR, THIRUVANANTHAPURAM. :2:

3 K.VENUGOPALAN NAIR, TC 6/139, CHAITHRAN, VATTIYOORKAVU P.O., THIRUVANANTHAPURAM-695009 4 M/S.ANSU ENTERPIRSES, SREE NAGAR, NO.14 XLI/1620, MANACAUD P.O., THIRUVANANTHAPURAM-695009 5 M/S.ANSU ENTERPRISES PRIVATE LIMITED, B-60-63, PIPDC INDUSTRIAL ESTATE, METTUPPALAYAM, PUDUCHERRY-605 009, PONDICHERRY. 6 UNION BANK OF INDIA, UNION BANK BHAVAN, 239, VIDHAN BHAVAN MARG, NARIMAN POINT, MUMBAI-400 021, MAHARASTRA, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 7 ANDHRA BANK, DR.PATTABHI BHAVAN, 5/9/11, SAIFABAD, HYDERABAD-500 004, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 8 ORIENTAL BANK OF COMMERCE, PLOT NO.5, INSTITUTIONAL AREA, SECTOR-32, GURGAON-122 001, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 9 INDIAN OVERSEAS BANK, 763, ANNA SALAI, CHENNAI-600 002, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 10 CORPORATION BANK, HEAD OFFICE, PANDESHWAR, MANGALORE-575 001, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 11 PUNJAB NATIONAL BANK, 7, PNB HOUSE, BHIKAJI CAMA PALACE, BEHIND EIL DELHI-110 066, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 12 ALLAHABAD BANK, ALLAHABAD BANK HEAD OFFICE, 2, N.S.ROAD, KOLKATA-700 001, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. :3:

13 DENA CORPORATE CENTRE, C-10, GBLOCK, BANDRA-KURLA COMPLEX, BANDRA (E), MUMBAI-400 051, REPRESENTED BY ITS

CHAIRMAN/MANAGING DIRECTOR. 14 SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA, SIDBI, MSME DEVELOPMENT CENTRE, PLOT NO.C-11, G BLOCK, BANDRA KURLA COMPLEX, BANDRA (E), MUMBAI-400 051, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 15 MS.EDELWEISS ASSET RECONSTRUCTION COMPANY LTD., (EARC), EDELWEISS HOSE, OFF CST ROAD, KALIAN MUMBAI, PIN-400 098, REPRESENTED BY ITS AUTHORISED / CHAIRMAN. 16 ASSET RECONSTRUCTION COMPANY LTD ARCL THE RUBY, 10TH FLOOR, 29, SENAPATI BAPAL MARG, DADAR (WEST), MUMBAI-400 032, REPRESENTED BY ITS AUTHORISED SIGNAORY/CHAIRMAN. 17 THE FEDERAL BANK LTD., CORPORATE OFFICE, ALUVA, KERALA, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 18 VIJAYA BANK, KAMADHENU COMPLEX, OPP.AMBAWADI, AHMEDABAD-380 015, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 19 INDIAN BANK CORPORATE OFFICE, PB NO.5555, 254-260, AVVAI SHANMUGHAM SALAI, ROYAPETTAH, CHENNAI-600 014, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 20 CENTRAL BANK OF INDIA, CHANDER MUKHI, NARIMAN POINT, MUMBAI-400 021, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR. 21 THE REGIONAL DIRECTOR, RESERVE BANK OF INDIA, BAKERY JUNCTION, THIRUVANANTHAPURAM. :4:

22 THE GENERAL MANAGER, DEPARTMENT OF BANKING SUPERVISION, RESERVE BANK OF INDIA, BAKERY JUNCTION, THIRUVANANTHAPURAM.-695 033. 23 CENTRAL VIGILANCE COMMISSION, SATARKATA BHAVAN, A-BLOCK, GPO COMPLEX, INA, NEW DELHI-110 023. 24 CENTRAL BUREAU OF INVESTIGATION, REPRESENTED BY ITS SUPERINTENDENT OF POLICE, KATHRIKKADAVU, KOCHI-682 017.

BY ADVS. SRI.SANTHEEP ANKARATH, SC, PUNJAB NATIONAL BANK SRI.ABRAHAM MATHEW VETTOOR SRI.V.A.AJAI KUMAR

SRI.ANIL ABEY JOSE SRI.GEORGE CHERIAN SR. SMT.LATHA
SUSAN CHERIAN SRI.LIJO JOSEPH SRI.MOHAN JACOB GEORGE
SRI.MILLU DANDAPANI SRI.NIDHI SAM JOHNS SMT.NIGI GEORGE
SMT.P.V.PARVATHY P-41 SRI.K.P.RAMACHANDRAN SMT.REENA
THOMAS SRI.R.SUDHIR SRI.S.SASTHA MANGALA AJITH KUMAR
SRI.SUNIL SHANKER SMT.K.S.SANTHI SRI.A.V.THOMAS (SR.)
SRI.SREELAL WARRIAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25.03.2024, ALONG WITH WP(C).39804/2023 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING: :5:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH MONDAY,
THE 25TH DAY OF MARCH 2024 / 5TH CHAITHRA, 1946 WP(C) NO.
2298 OF 2017 PETITIONER: LISSY LEKSHMI, 4B, ARIHANTVEDANT,
42, MELONY ROAD, T NAGAR, CHENNAI 17. BY ADVS. SRI.SAIBY
JOSE KIDANGOOR SRI.BENNY ANTONY PAREL SRI.MATHEWS
RAJU SRI.P.M.MOHAMMED SALIH SMT.S.SIBHA RESPONDENTS:

1 M/S. DEWA PROJECTS PRIVATE LIMITED, REGISTERED OFFICE
AT S.S. KOVIL ROAD, THAMPANOR P.C., VANCHIYOOR,
THIRUVANANTHAPURAM-69501. 2 HOTEL VENUS INTERNATIONAL,
S.S.KOVIL ROAD, THAMPANOR P.O., VANCHIYOOR,
THIRUVANANTHAPURAM. 3 K.VENUGOPALAN NAIR, T.C.6/139,
'CHAITHRAM' VATTIYOORKAVU P.O., THIRUVANANTHAPURAM -
695009 4 M/S. ANSU ENTERPRISES PRIVATE LIMITED, B-60-63
PIPDC INDUSTRIAL ESTATE, METTUPPALAYAM, PONDICHERY -
605009, PONDICHERY 5 UNION BANK OF INDIA, UNION BANK
BHAVAN, 239, VIDHANBHAVAN MARG, NARIMAN POINT, MUMBAI -
400021, MAHARASHTRA, REPRESENTED BY ITS
CHAIRMAN/MANAGING DIRECTOR :6:

6 ANDHRA BANK, DR.PATTABHIBHAVAN 5-9-11, SAIFABAD, HYDERABAD - 500004, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 7 ORIENTAL BANK OF COMMERCE, PLOT NO.5, INSTITUTIONAL AREA, SECTOR - 32, GURGAON - 122001, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 8 INDIAN OVERSEAS BANK, 763, ANNA SALAI, CHENNAI - 600002, REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 9 CORPORATION BANK, HEAD OFFICE, PANDESHWAR, MANGALORE-575001 REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 10 PUNJAB NATIONAL BANK, 7,PNB HOUSE, BHIKAJICAMA PLACE, BEHIND EIL, DELHI-110066 REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 11 ALLAHABAD BANK, ALLAHABAD BANK HEAD OFFICE 2, N.S.ROAD, KOLKATTA - 700001 REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 12 DENA CORPORATE CENTRE, C-10, G BLOCK, BANDRA - 5KURLA COMPLEX, BHANDRA (E), MUMBAI - 400051 REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 13 SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA (SIDBI), MSME DEVELOPMENT CENTRE, PLOT NO.C-11 'G'BLOCK, BANDRAKURLA COMPLEX, BANDRA(E), MUMBAI - 400051 REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 14 M/S. EDELWEISS ASSET RECONSTRUCTION COMPANY LIMITED (EARC), EDELWEISS HOUSE, OFF CST ROAD, KALINA MUMBAI, PIN - 400098 REPRESENTED BY ITS AUTHORIZED SIGNATORY, CHAIRMAN 15 ASSET RECONSTRUCTION COMPANY (INDIA) LIMITED (ARCIL) THE RUBY, 10TH FLOOR, 29, SENAPATI BAPAL MARG, DADAR (WEST), MUMBAI, PIN - 400032 REPRESENTED BY ITS AUTHORIZED SIGNATORY, CHAIRMAN :7:

16 THE FEDERAL BANK LTD., CORPORATE OFFICE, ALUVA, KERALA-683101 REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 17 VIJAYA BANK, KAMADHENU COMPLEX, OPP: AMBAWADI, AHMEDABAD - 380015 REPRESENTED BY ITS

CHAIRMAN/MANAGING DIRECTOR 18 INDIAN BANK CORPORATE OFFICE, P.B.NO.5555,254-260, AVVAI SHANMUGHAM SALAI, ROYAPETTAH, CHENNAI - 600014 REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 19 CENTRAL BANK OF INDIA, CHANDERMUKHI, NARIMAN POINT, MUMBAI - 400021 REPRESENTED BY ITS CHAIRMAN/MANAGING DIRECTOR 20 THE REGIONAL DIRECTOR, RESERVE BANK OF INDIA, BAKERY JUNCTION, THIRUVANANTHAPURAM-695001 21 THE GENERAL MANGER, DEPARTMENT OF BANKING SUPERVISION, RESERVE BANK OF INDIA, BAKERY JUNCTION, THIRUVANANTHAPURAM - 695033 22 CENTRAL BUREAU OF INVESTIGATION, REPRESENTED BY ITS SUPERINTENDENT OF POLICE, KATHRIKKADAVU, KOCHI-682017

BY ADVS. SRI.MOHAN PULICKAL SRI.SUNIL SHANKAR, SC SRI.SANTHEEP ANKARATH SRI.ROJO JOSEPH THURUTHIPARA, SC, DENA BANK SRI.A.B.MOHANAKUMAR SRI.LIJO JOSEPH SRI.NIDHI SAM JOHNS SRI.S.EASWARAN, SC, INDIAN BANK SRI.A.V.THOMAS (SR.) SRI.SREELAL WARRIAR THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25.03.2024, ALONG WITH WP(C).39804/2023 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :8:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH MONDAY, THE 25TH DAY OF MARCH 2024 / 5TH CHAITHRA, 1946 WP(C) NO. 36086 OF 2023 PETITIONER: LEENA SASHIKUMAR, AGED 51 YEARS, W/O SASHI KUMAR, RESIDING AND HAVING PERMANENT ADDRESS AS FLAT 5C, 5TH FLOOR, ALLIANCE RESIDENCY, MARINE DRIVE, KOCHI 682031. PRESENTLY RESIDING AT 231C, KILPAUK GARDEN ROAD, KILPAUK, CHENNAI, PIN - 600010

BY ADVS. PRAVEEN K. JOY M.P.UNNIKRISHNAN T.A.JOY FATHIMA SHALU S. ABISHA.E.R DEEPU RAJAGOPAL ANUPAMA NAIR E.S.SANEEJ ARDRA ANIL N.ABHILASH ADITHYA LAL ALBIN VARGHESE RESPONDENTS: 1 AUTHORIZED OFFICER, UNION BANK OF INDIA, ERNAKULAM MAIN BRANCH, UNION BANK BHAVAN, M.G ROAD, ERNAKULAM, PIN - 682035 :9: 2 THE ASSISTANT GENERAL MANAGER, UNION BANK OF INDIA CONSORTIUM, UNION BANK OF INDIA, ERNAKULAM MAIN BRANCH, UNION BANK BHAVAN, M.G. ROAD, ERNAKULAM, PIN - 682035 BY ADVS. NIDHI SAM JOHN LIJO JOSEPH (THOPPIL)(K/000537/2013) A.KEVIN THOMAS(K/639/2014) CELIA SANTHOSH(K/1297/2020) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25.03.2024, ALONG WITH WP(C).39804/2023 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: : 10 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH MONDAY, THE 25TH DAY OF MARCH 2024 / 5TH CHAITHRA, 1946 WP(C) NO. 39804 OF 2023 PETITIONERS:

1 AUTHORISED OFFICER AND CHIEF MANAGER, (FORMERLY ASSISTANT GENERAL MANAGER), UNION BANK OF INDIA CONSORTIUM, UNION BANK OF INDIA, ASSET RECOVERY BRANCH, (FORMERLY ERNAKULAM MAIN BRANCH), UNION BANK BHAVAN, M.G.ROAD, ERNAKULAM, PIN - 682035 2 UNION BANK OF INDIA, ASSET RECOVERY BRANCH, (FORMERLY ERNAKULAM MAIN BRANCH), UNION BANK BHAVAN, M.G.ROAD, ERNAKULAM, REPRESENTED BY ITS CHIEF MANAGER, PIN - 682035

BY ADVS. NIDHI SAM JOHN LIJO JOSEPH (THOPPIL) A.KEVIN THOMAS CELIA SANTHOSH A.V.THOMAS (SR.)(T-49) RESPONDENTS: 1 KERALA REAL ESTATE REGULATORY

AUTHORITY, TC NO. 14, 6TH FLOOR, TRINITY CENTRE,
KESAVADASAPURAM JUNCTION, PATTOM,
THIRUVANANTHAPURAM, PIN - 695004 : 11 :

2 DEWA INVESTORS ASSOCIATION, ERNAKULAM, PIN - 682024
REPRESENTED BY ITS PRESIDENT PRINCE JOSEPH, RESIDING AT
17D, EXPRESS ESTATE, KALLOOR (P.O), ERNAKULAM, PIN - 682017
3 JACOB XAVIER, SECRETARY, DEWA INVESTORS ASSOCIATION,
EDAPPALLY (P.O), ERNAKULAM, PIN - 682024 RESIDING AT
KYYALAKAKATH, PALA (P.O), KOTTAYAM, PIN - 686575
4 RITA VENUGOPAL, SRILEKSHMI, OPP CHITRANJALI THEATRE,
CHERTHALA (P.O), ALAPPUZHA, PIN - 688524
5 K.S. VENUGOPAL SRILEKSHMI, OPP CHITRANJALI THEATRE, CHERTHALA (P.O),
ALAPPUZHA, PIN - 688524
6 DEWA PROJECTS PVT. LTD., TC NO.
25/1497, S.S KOVIL ROAD, THAMPANOR,
THIRUVANANTHAPURAM, PIN - 695001, REPRESENTED BY ITS
LIQUIDATOR VINOD PADINHARE VEETIL, HAVING ADDRESS AT
66-1058, FIRST FLOOR, VEEKSHANAM ROAD, ERNAKULAM NORTH,
PIN - 682018
7 ANSU ENTERPRISES PVT. LTD., (FORMERLY M/S.
ANSU ENTERPRISES) NO. 14, SREENAGAR, MANACAUD (P.O),
THIRUVANANTHAPURAM, REPRESENTED BY ITS MANAGING
DIRECTOR, PIN - 695009
8 RESERVE BANK OF INDIA, BAKERY
JUNCTION, THIRUVANANTHAPURAM, REPRESENTED BY ITS
GENERAL MANAGER, PIN - 695033 : 12 :

BY ADVS. VIJAY V. PAUL SHIYAS K.R SUJIN S MILLU DANDAPANI
NITA.N.S.(K/353/2003) SHILPA SOMAN(K/1400/2021) SAMAH ABDUL
MAJID(K/1557/2023) ANGELA ELSA JOHN(AP/1141/2023) WAFI
MARIYAM(K/1809/2023) P.P.FAISAL(K/1340/1998)
D.REETHA(K/1069/2003) SRI.M.RAMESH CHANDER,SC,
CANTONMENT BOARD(SC-980) THIS WRIT PETITION (CIVIL)
HAVING COME UP FOR ADMISSION ON 25.03.2024, ALONG WITH
WP(C).2298/2017, DAY DELIVERED THE FOLLOWING: : 13 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH MONDAY,
THE 25TH DAY OF MARCH 2024 / 5TH CHAITHRA, 1946 WP(C) NO.
39936 OF 2023 PETITIONER:

M/S ANSU ENTERPRISES PVT LTD., (FORMERLY M/S ANSU ENTERPRISES), NO 14, SREENAGAR, MANACAUD P O, THIRUVANANTHAPURAM-695009, REPRESENTED BY ITS MANAGING DIRECTOR, K VENUGOPALAN NAIR, AGE 66, S/O KRISHNAPILLAI, CHITHIRAM VEEDU, TC 25/1497, THENGUVILAKAM, SS KOVIL ROAD, THAMPANOR, THIRUVANANTHAPURAM, KERALA STATE, PIN-695001, NOW RESIDING AT 8D, HEERA BLUE BELLS, NEAR ALTHARA, VELLAYAMBALAM, SASTHAMANGALAM P O, THIRUVANANTHAPURAM, KERALA, PIN - 695010

BY ADV A.B.MOHANAKUMAR RESPONDENTS: 1 ASSET RECOVERY BRANCH OF UNION BANK OF INDIA, SECOND FLOOR, UNION BANK BHAVAN, MG ROAD, COCHI ERNAKULAM DISTRICT, KERALA STATE, REPRESENTED BY ITS CHIEF MANAGER AND AUTHORIZED OFFICER FOR UNION BANK OF INDIA CONSORTIUM, PIN - 682035 : 14 :

2 MRS TESSY, MOONGANANIYIL, VAZHAVATTA P.O., MUTTIL SOUTH, WAYANAD DISTRICT, KERALA, PIN - 673122 BY ADVS. NIDHI SAM JOHN M.N.SASIDHARAN NAIR LIJO JOSEPH (THOPPIL)(K/000537/2013) A.KEVIN THOMAS(K/639/2014) CELIA SANTHOSH(K/1297/2020) A.V.THOMAS (SR.)(T-49) VANAJA KUMARI P. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25.03.2024, ALONG WITH WP(C).39804/2023 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: : 15 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH MONDAY, THE 25TH DAY OF MARCH 2024 / 5TH CHAITHRA, 1946 WP(C) NO. 40397 OF 2023 PETITIONERS: 1 THE DEWA INVESTORS ASSOCIATION, EDAPALLY P.O, ERNAKULAM, PIN - 682024, REP.BY ITS PRESIDENT, MR. PRINCE JOSEPH, RESIDING AT 17D, EXPRESS ESTATE, KALLOOR P.O, ERNAKULAM , PIN - 682017 2 MR. JACOB XAVIER, AGED 62 YEARS, SECRETARY, THE DEWA INVESTORS ASSOCIATION, 28/475, KOONAMTHAI, EDAPALLY P.O, ERNAKULAM, PIN - 682024. RESIDING AT KYVALAKAKATH, PALA P.O, KOTTAYAM, PIN - 686575 BY ADVS. VIJAY V. PAUL SANTHOSH MATHEW SHILPA SOMAN SAMAH ABDUL MAJID RESPONDENTS: 1 THE ASSISTANT GENERAL MANAGER, & AUTHORIZED OFFICER, UNION BANK OF INDIA CONSORTIUM, UNION BANK OF INDIA, ERNAKULAM MAIN BRANCH, UNION BANK BHAVAN,M.G ROAD, ERNAKULAM, PIN - 682035 : 16 :

2 UNION BANK OF INDIA, 239, VIDHANBHAVAN MARG, NARIMAN POINT, MUMBAI, MAHARASHTRA - REPRESENTED BY ITS GENERAL MANAGER - LEGAL., PIN - 400021 3 DEWA PROJECTS PRIVATE LIMITED, T.C NO. 25/1497, S.S KOVIL ROAD, THAMPANOR, THIRUVANANTHAPURAM, PIN - 695001, REPRESENTED BY ITS LIQUIDATOR, MR. VINOD PADINHAREVEETIL, HAVING ADDRESS AT 66-1058, FIRST FLOOR,VEEKSHANAM ROAD, ERNAKULAM NORTH -, PIN - 682018 4 ANSU ENTERPRISES PRIVATE LIMITED, NO. 14, SREENAGAR, MANACAUD, THIRVANATHAPURAM, 695 009, REPRESENTED BY ITS DIRECTOR, PIN - 695009 5 BANK OF BARODA, MG ROAD BRANCH, 1ST FLOOR JOSE ANNEXE, JOSE JUNCTION MG ROAD, ERNAKULAM-, PIN - 682016 6 PUNJAB NATIONAL BANK, SASTRA ERNAKULAM OPP. ST MARYS BASILLICA BROADWAY, ERNAKULAM-, PIN - 682031 7 INDIAN OVERSEAS BANK,

SPECIALISED ARM BRANCH, FIRST FLOOR IOB BUILDINGS, NEAR KAVITHA THEATRE M.G ROAD, ERNAKULAM-682035 8 SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA MT PLAZA, KALOOR-KADAVANTHRA ROAD KALOOR, ERNAKULAM-682017 9 EDELWEISS ASSET RECONSTRUCTION COMPANY LTD, 1ST FLOOR, EDELWEISS HOUSE OFF CST ROAD, KALINA SANTAZRUZ EAST, MUMBAI-, PIN - 400098 10 ASSET RECONSTRUCTION COMPANY (INDIA) LIMITED, 10TH FLOOR, THE RUBY 29, SENAPATIBAPAT MARG, DADAR WEST, MUMBAI-, PIN - 400028 11 MR. VINOD PADINHAREVEETIL, LIQUIDATOR OF DEWA PROJECTS PRIVATE LIMITED, HAVING ADDRESS AT 66-1058, FIRST FLOOR,VEEKSHANAM ROAD, ERNAKULAM NORTH -, PIN - 682018 : 17 :

BY ADVS. NIDHI SAM JOHN SHIYAS K.R SUJIN S SUNIL SHANKAR A SANTHEEP ANKARATH, SC R.REMA, SC LIJO JOSEPH (THOPPIL)(K/000537/2013) A.KEVIN THOMAS(K/639/2014) CELIA SANTHOSH(K/1297/2020) A.V.THOMAS (SR.)(T-49) VIDYA GANGADHARAN(K/000424/2020) NITA.N.S.(K/353/2003) P.P.FAISAL(K/1340/1998) D.REETHA(K/1069/2003) SRI.M.RAMESH CHANDER,SC,CANTONMENT BOARD (SC-980) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25.03.2024, ALONG WITH WP(C).39804/2023 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: : 18 :

N. NAGARESH, J.

..... W.P.(C) Nos.14289 of 2016, 2298 of 2017 and 36086, 39804, 39936 and 40397 of 2023 Dated this the 25th day of March, 2024

JUDGMENT

These writ petitions relate to same set of facts and raise identical issues. They are hence being heard together and disposed of by a common judgment. For convenience, the exhibits and parties are referred to in this judgment as they are arrayed in W.P.(C) No.39804/2023 (unless otherwise specified).

2. The petitioners in W.P.(C) No.39804/2023 are a

consortium of Banks and the Union Bank of India. The 5 th respondent is promoter of a Real Estate project. The petitioners sanctioned 265.35 Crores to respondents 5 and 6 : 19 : on 02.08.2005. The loan amount was later enhanced to 477 Crores. Ext.P1 agreement provided that the consortium will have first charge over plot No.C5 along with building to be constructed by the borrowers. To secure the loan, a memorandum of deposit of title deed was executed by the borrowers on 30.03.2006. The 5 th respondent started the construction works of Apartment project on the land belonging to the 6th respondent in the year 2008. The 5 th respondent executed agreements with certain home buyers.

3. When the 5th respondent committed default in

maintaining the loan account, the petitioners issued notice under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, on 02.05.2015. Subsequently, the petitioners moved

the Chief Judicial Magistrate's Court and obtained an order

under Section 14 of the SARFAESI Act, on 31.10.2015. The recovery proceedings were challenged before this Court filing W.P.(C) Nos.7382/2015 and 33321/2015. The said writ petitions were disposed of as per Ext.P3 judgment dated : 20 : 02.12.2015 directing to conduct separate valuation of properties and proceed for sale only after making extensive advertisements and ensuring that the best price is received for the properties. This Court found that the order of the Chief Judicial Magistrate under Section 14 does not suffer from any procedural irregularity and has to be sustained. This Court also held that the petitioners would be entitled to take possession of the property. This Court further directed that the Chief Judicial Magistrate's order shall not be enforced with respect to plot No.C5 for the time

being.

4. Certain home buyers approached this Court filing

W.P.(C) Nos.34521 and 41631 of 2017 alleging that the petitioners are proposing to auction plot No.C5 to recover the loan amount. This Court held that home buyers who have already entered into agreement with the 5th respondent should be protected while the 1st petitioner is taking steps for auctioning the property. This Court directed that the auction notice should also state about the protection enured to the buyers. : 21 :

5. Ext.P4 judgment in W.P.(C) No.34521/2017 was

subjected to challenge by the Bank filing W.A. No.999/2018. A Division Bench of this Court held that while ensuring that the petitioners recover the amounts disbursed by them, it should also be ensured that the rights of the home buyers are safeguarded. The Division Bench clarified that the Bank shall specify in the auction notice the details of the claims made by the home buyers though they are not established. The Division Bench noted that the admitted claim of the home buyers is in the region of 33.5 Crores. The writ appeals were disposed of directing the Bank to specifically mention in the auction notice the existence of a claim to the tune of 33.5 Crores from the persons who had advanced money for purchasing apartments from the borrowers.

6. The petitioners took physical possession of plot

No.C5 on 03.11.2017. In the year 2019, proceedings were initiated against the builders under the Insolvency and Bankruptcy Code. The National Company Law Tribunal appointed interim Insolvency Resolution Professional / : 22 : Insolvency Resolution Professional in the year 2019.

7. When the proceedings initiated by the petitioners

under the SARFAESI Act and the proceedings under the Insolvency and Bankruptcy Code were pending, the Dewa Investors Association and others filed a complaint before the Real Estate Regulatory Authority on 25.11.2022 seeking to

declare that the 5th respondent is liable to register the project under proviso to Section 3(1) of the RERA Act, 2016 and to declare that the respondents are not liable to sell plot No.C5 and the half constructed apartment building agreed to be sold to the complainants, to any third party pursuant to SARFAESI proceedings, unless the project is registered with RERA under Section 3 of the RERA Act.

8. The petitioners questioned the very maintainability

of Ext.P7 complaint under the RERA Act stating that where security interest has been created by mortgaging the property prior to the introduction of the RERA Act, the provisions of the Act will not apply. The petitioners pointed out that the mortgage of plot No.C5 was created in the year : 23 : 2005 whereas the RERA Act came into force only as per Act,

2016. The petitioners urged that as far as plot No.C5 is concerned, there is no ongoing project since the project was abandoned in the year 2013 by the promoters.

9. While all these proceedings were pending, the

petitioners sold plot No.C5 on 13.10.2023 for 1,50,10,00,000/-. On 20.10.2023, the Kerala Real Estate Regulatory Authority passed Ext.P12 order directing the 1 st petitioner to register the project before the Authority as per Section 3 of the Act, 2016. The Authority also directed that the 1st petitioner shall take prior permission from the Authority for transferring the project to a third party.

10. The petitioners have filed W.P.(C) No.39804/2023 challenging Ext.P12 order of the Kerala Real Estate Regulatory Authority. The petitioners argued that in the

judgment of the Honble Apex Court in Union Bank of India

v. Rajasthan Real Estate Regulatory Authority and others [SLA(C) Nos.1861-1871/2022] the Apex Court has

held that RERA has no jurisdiction if there is a mortgage prior

: 24 : to the coming into force of RERA Act, 2016. In this case, mortgage was created on 30.03.2006 as per Ext.P2 memorandum of deposit of title deed. Ext.P12 order has been passed by the Authority after the SARFAESI sale and its confirmation.

11. The petitioners further urged that the Authority has

passed Ext.P12 order on an assumption that the RBI has detected fraud in the loan transactions. In fact, the RBI in its report has not stated that there is fraud. The RBI report only refers to certain alleged irregularities. The RBI has not made any findings against creation of mortgage on 30.03.2006. In the counter affidavit filed by the RBI in W.P.(C) No.40397/2023, the RBI has stated that no fraud is concluded. Ext.P7 complaint before the Kerala Real Estate Regulatory Authority and Ext.P12 order of the Authority are therefore liable to be set aside.

12. W.P.(C) No.14289/2016 has been filed by an

Investors Association along with its Secretary, the members of which are home buyers invested for purchase of : 25 : Apartment units in the proposed project in plot No.C5. The petitioners filed a complaint to the Reserve Bank of India and are seeking to conduct a detailed enquiry. The petitioners allege that respondents 1 to 5 in the writ petition have committed serious defaults and the Auditors of the Reserve Bank of India failed to publicly disclose the defaults committed by respondents 1 to 5.

13. The petitioners state that an enquiry need to be

conducted as to how respondents 1 to 5 in the writ petition were permitted to sell the property which is mortgaged with the Consortium of Bank even after declaring the loan account as NPA in the year 2007. Had the Reserve Bank of India or the members of the Consortium Banks published the details of the default, the members of the petitioner-Association who had made payments from 2012 onwards would not have effected any such payments.

14. W.P.(C) No.2298/2017 has been filed by an

Actor/Entrepreneur who along with her husband has invested lumpsum amounts in the project promoted by respondents 1 : 26 : to 4 in the writ petition in order to purchase an Apartment. The petitioner states that it is highly essential that a direction is issued to the CBI to register a case and investigate about the mischief committed by the concerned officials of respondents 5 to 20 Banks in sanctioning and disbursement of loan and utilisation of funds. The petitioner seeks to direct the General Manager, Reserve Bank of India and the Central Bureau of Investigation to initiate a detailed enquiry pursuant to the details highlighted in Ext.P47 complaint submitted by the petitioner, by an independent team of Auditors appointed by the RBI.

15. W.P.(C) No.36086/2023 has been filed by another

home buyer who also seeks to direct the Union Bank of India to release the claim amount of the petitioner in tune with Ext.P1 judgment and not to confirm any sale proceedings till claim amount of the petitioner is released. By Ext.P1 judgment, a Division Bench of this Court has held that the action of the Bank for recovery of loans advanced by them, selling the secured assets cannot be interfered with. The : 27 : Division Bench directed the appellant-Union Bank of India to specifically mention in the auction notice the claim to the tune of about 33.5 Crores that is in existence, from the persons who had advanced money for purchasing apartments from the borrowers in the project.

16. W.P.(C) No.40397/2023 has been filed by the

Investors Association seeking to declare that the Consortium of Banks is not entitled to transfer the project to a third party pursuant to Ext.P9 sale notice without complying with Ext.P12 order dated 20.10.2023 of the Kerala Real Estate Regulatory Authority.

17. The petitioners would contend that the

respondents are attempting to transfer the project to a third party, by neither disclosing all liabilities nor taking prior permission of the RERA and also without registering the project under the RERA Act. The consortium of Banks is acting

fraudulently in order to evade statutory responsibilities towards the home buyers, which is illegal, impermissible and unsustainable. : 28 :

18. W.P.(C) No.39936/2023 is a writ petition filed by

M/s.Ansu Enterprises Private Limited, which is the owner and title holder of property measuring 6.32 Acres of land comprised in Survey No.843 at Marine Drive, Ernakulam. It is this property which was mortgaged to the Union Bank Consortium in 2005 for availing housing project loan by Dewa Projects Private Limited. The petitioner challenges the e-auction sale of its property by the Bank Consortium. According to the petitioner, an order passed by Real Estate Regulatory Authority will prevail over SARFAESI proceedings.

19. The petitioner therefore seeks to restrain the

Banking Consortium from issuing sale certificate with regard to the property sold in the e-auction dated 13.03.2023 till the final disposal of SA No.219/2023 pending before the Debts Recovery Tribunal-I, Ernakulam and the complaint No.276/2022 pending before the Kerala Real Estate Regulatory Authority, Thiruvananthapuram. : 29 :

20. I have heard the learned counsel for the petitioners in all these writ petitions and respective counsel / Standing Counsel appearing for the respondents.

21. The 6th respondent-Dewa Projects Private Limited

was granted a loan of 477 Crores by the Consortium of Banks who are the petitioners in W.P.(C) No.39804/2023. The first part of the loan was sanctioned on 02.08.2005. The Dewa Projects Private Limited created first charge over plot No.C5 along with building to be constructed, in favour of the Consortium of Banks. As part of the mortgage, title deeds were deposited with the Consortium on 30.03.2006. The land belongs to the 7th respondent-Ansu Enterprises Private Limited.

22. The Dewa Projects Private Limited thereafter

executed agreements for sale of Apartment Units with home buyers. Admittedly, such sale agreements were executed after the mortgage of the property with the Consortium of Banks on 30.03.2006. The Dewa Projects Private Limited could not proceed with construction. When they failed to : 30 : maintain the loan accounts, the Consortium of Banks initiated proceedings under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 by issuing Section 13(2) notice on 02.05.2015. The Consortium of Banks moved the Chief Judicial Magistrate's Court under Section 14 on 31.10.2015.

23. These proceedings were challenged before this

Court filing W.P.(C) Nos.7382/2015 and 33321/2015. This Court directed that the order of the Chief Judicial Magistrate to take over possession of property shall not be enforced with respect to plot No.C5 for the time being. In W.P.(C) Nos.34521 and 41631 of 2017 filed by the home buyers subsequently, this Court directed that the auction notice in respect of plot No.C5 should also state about the protection

enured to the home buyers. The said common judgment

was challenged in W.A. No.999/2018. A Division Bench of this Court held that while ensuring that the petitioners recover the amounts disbursed by them, it should also be ensured that the rights of the home buyers are safeguarded. : 31 : The writ appeal was disposed of directing the Bank to specifically mention in the auction notice the existence of a claim to the tune of 33.5 Crores from persons who had advanced money for purchasing Apartments from the builder. Therefore, it is obvious that this Court has permitted the Consortium of Banks to proceed with sale of plot No.C5.

24. In the meanwhile, certain home buyers moved an

application under Section 7 of the Insolvency and Bankruptcy Code, 2016 before the National Company Law Tribunal, Kochi seeking to initiate Corporate Insolvency Resolution Process (CIRP) against Dewa Projects Private Limited. The NCLT admitted the IBA.23/KOB/2019 as per order dated 13.09.2019 and initiated CIRP. An Interim Resolution Professional (IRP) was also appointed.

25. The IRP invited claims from creditors of M/s.Dewa

Projects Private Limited on 18.09.2019. The IRP received claims and admitted an amount of 664.64 Crores from the financial creditors / Consortium of Banks, which included claims of 66 home buyers who are members of Dewa : 32 : Investors Association. The IRP admitted the claim of home buyers to the tune of 36.42 Crores.

26. The claims of the 66 members of Dewa Investors

Association / Home Buyers were collated, verified and admitted by the IRP. The IRP was later appointed by the Committee of Creditors as Resolution Professional (RP) on 20.11.2019. The list of claim of home buyers admitted by the Liquidator is attached as document No.4, which is part of Ext.P9 in W.P.(C) No.39804/2023. The admitted claim excluding interest, as per list of claims produced in Ext.P9 is 24,75,67,192/-.

27. In the meanwhile, while SARFAESI proceedings

initiated by the Consortium of Banks and IBC proceedings initiated by the home buyers were pending, the Dewa Investors Association and others filed a complaint before the Real Estate Regulatory Authority on 25.11.2022 seeking to declare that the 5th respondent is liable to register the project under proviso to Section 3(1) of the RERA Act, 2016 and to declare that the respondents are not liable to sell plot No.C5 : 33 : and the half constructed Apartment building agreed to be sold to the complainants, to any third party pursuant to SARFAESI proceedings, unless the project is registered with RERA under Section 3 of the RERA Act.

28. Though the Consortium of Banks contested the

complaint before the RERA and pointed out that security interest has been created in favour of the Consortium of Banks by mortgaging the property even prior to the introduction of RERA Act and hence the complaint is not maintainable, the Real Estate Regulatory Authority proceeded to entertain the complaint filed by the home buyers. The Consortium of Banks pointed out that there is no ongoing project, since the project was abandoned by the promoters in the year 2013 itself.

However, the Kerala Real Estate Regulatory Authority passed Ext.P12 order directing the promoters to register the project before the Authority as per Section 3 of the Act, 2016. The Authority also directed that the Consortium of Banks shall take prior permission from the Authority for transferring the project to a third party.
: 34 :

29. In these writ petitions, while the Consortium of

Banks challenges Ext.P12 interlocutory order of the RERA directing to register the project before the RERA as per Section 3 of the Act, 2016, the home buyers seek to direct the promoters to register the project under Section 3. The RERA has directed the Consortium of Banks to take prior permission from the authority for transferring the project to a third party.

30. It is to be noted that adjudicatory proceedings in

respect of the issues involved are pending consideration before various statutory forums like Debts Recovery Tribunal, National Company Law Tribunal and Kerala Real Estate Regulatory Authority. In such circumstances, the attempt of this Court should be to ensure that the claimants including the Consortium of Banks and the home buyers should be given protection in order to realise the amounts invested by them.

31. The Kerala Real Estate Regulatory Authority has

directed as per Ext.P12 order dated 20.10.2023 that the : 35 : Consortium of Banks shall take prior permission from the Authority for transferring the project to any third party. However, this Court has considered the claim of the Consortium of Banks to realise the secured asset of the Consortium under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act,

2002. In W.P.(C) Nos.34521 and 41631 of 2017 filed by the

home buyers subsequently, this Court directed that the auction notice in respect of plot No.C5 should state about the protection enured to the home buyers. When the judgment in those writ petitions was subjected to challenge in W.A No.999/2018, a

Division Bench of this Court has held that while ensuring that the petitioners recover the amounts disbursed by them, it should also be ensured that the rights of the home buyers are safeguarded. The writ appeal was disposed of directing the Bank to specifically mention in the auction notice, the existence of a claim to the tune of 33.5 Crores from home buyers. It is therefore crystal clear that the Division Bench of this Court has permitted the : 36 : Consortium of Banks to proceed with sale of plot No.C5. Ext.P12 order of the Kerala Real Estate Regulatory Authority directing the Consortium of Banks to take prior permission from the Authority for transferring the project to a third party therefore cannot stand the scrutiny of law, as this Court has permitted sale of plot No.C5 on condition of ensuring protection of interest of the home buyers.

32. It is an undisputed fact that the property in

question was mortgaged to the Consortium of Banks as early in the year 2006 by executing a Memorandum of Deposit of Title Deed by the borrowers on 30.03.2006. The Real Estate Regulatory Authority Act came into force only in the year

2016. However, if there is an ongoing project, then such a

project is liable to be registered with the RERA. In the present case, however, the project was abandoned by the promoters by the year 2013. No activity has been taken place for implementation of the project thereafter. In such circumstances, the sustainability of the direction of the Kerala Real Estate Regulatory Authority in Ext.P12, to register the : 37 : project before the Authority as per Section 3 of the Act, 2016 is also doubtful. I am of the view that the Kerala Real Estate Regulatory Authority shall reconsider these issues in the light of the Division Bench judgment of this Court in W.A. No.999/2018.

33. The RP / Liquidator has verified and admitted the

claims of 66 members of Dewa Investors Association / home buyers. Those claims were collated, verified and admitted by the RP. The admitted claim excluding interest as per list of claims produced in Ext.P9 is 24,75,67,192/-. The Senior

Counsel representing various parties have unanimity in opinion that the Banks can release the said amount to the home buyers towards final settlement of claims of the home buyers.

34. Releasing of the claim amount of home buyers

who have invested their hard earned money in the abandoned project, will be in the best interest of the home buyers. This is especially so because a number of statutory proceedings are pending before various forums / courts / : 38 : Tribunals and therefore it would be harsh to make the home buyers to await conclusion of all these proceedings before they get their investment back, in respect of which there is no dispute.

35. Taking into consideration the entire facts and

circumstances of the case, I am of the view that these writ petitions can be disposed of with appropriate directions ensuring payment of admitted amount to the home buyers, but at the same time, permitting the parties to agitate their surviving grievances before the statutory authorities / Tribunals.

36. The writ petitions are therefore disposed of with the following directions:-

(i) Ext.P12 order of the Kerala Real Estate

Regulatory Authority to the extent it directs registration of the project and restrains sale of plot No.C5 is set aside. It is made clear that the Authority will be at liberty to proceed with

the matter and pass final orders taking note of the judgment

of this Court in W.A. No.999/2018. : 39 :

(ii) The Consortium of Banks shall immediately

release 24,75,67,192/- to a designated account of the Liquidator. The Liquidator is directed to pay the amount found due to the 66 members of Dewa Investors Association sans interest as found in document No.4 which is part of Ext.P9 in

W.P.(C) No.39804/2023, at the earliest and at any rate within a period of one month.

(iii) The petitioners in W.P.(C) No.40397/2023

undertake to withdraw Complaint No.276 of 2022 filed before the Kerala Real Estate Regulatory Authority, Thiruvananthapuram, once the amount as directed above is paid to the home buyers.

(iv) In view of the reliefs granted to the home buyers as directed hereinabove, W.P.(C) No.14289/2016, W.P.(C) No.2298/2017 and W.P.(C) No.40397/2023 are disposed of.

(v) W.P.(C) No.36086/2023 is disposed of permitting the petitioner to approach the Liquidator of Dewa Projects Private Limited to consider her claim as per IBC. : 40 :

(vi) W.P.(C) No.39936/2023 filed by co-borrower /

mortgager (land owner) is dismissed granting liberty to the petitioner to prosecute SA No.219/2023 before the Debts Recovery Tribunal-I, Ernakulam. Sd/- N. NAGARESH, JUDGE aks/12.04.2024 : 41 : APPENDIX OF WP(C) 14289/2016 PETITIONER'S EXHIBITS: EXHIBIT P1 A TRUE COPY OF THE JOINT DEED OF TERM LOAN AGREEMENT DATED 2/8/2005. EXHIBIT P2 A TRUE COPY OF THE JOINT DEED OF HYPOTHECATION DATED 2/8/2005.

EXHIBIT P3

A TRUE COPY OF THE AGREEMENT OF

M.JAYACHANDRAN NAIR, AND VIJAYAKUMARI AMMA @ S/VIJAYA VIKRAMAN NAIR IN FAVOUR OF UNION BANK OF INDIAN CONSORTIUM. EXHIBIT P4 A TRUE COPY OF THE AGREEMENT OF GUARANTEE DATED 2/8/2005 BY VINOD KUMAR, VINIL KUMAR, C.P.VIKRAMAN NAIR, VASANTHAKUMAR AMMA, RAVINDRAN NAIR, SOBHA, SUKUMARI AMMA AND VINITHA IN FAVOUR OF UNION BANK OF INDIAN CONSORTIUM. EXHIBIT P5 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BETWEEN K VENUGOPALAN NAIR, SOBHA VENUGOPALAN NAIR AS POWER OF ATTORNEY HOLDER OF SUKUMARI

AMMA ON 12TH JULY 2005. EXHIBIT P6 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BETWEEN K VENUGOPALAN NAIR, SOBHA VENUGOPALAN NAIR ON 12TH JULY 2008, WITH THE UNION BANK OF INDIA CONSORTIUM. EXHIBIT P7 A TRUE COPY OF TITLE DEEDS EXECUTED BY K VENUGOPALAN NAIR, ON 12TH JULY 2005 WITH UNION BANK OF INDIA. EXHIBIT P8 A TRUE COPY OF THE MEMORANDUM OF

DEPOSIT OF TITLE DEEDS EXECUTED BY K VENUGOPALAN NAIR, ON 12TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. : 42 : EXHIBIT P9 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY K VENUGOPALAN NAIR, ON 12TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P10 A TRUE COPY OF THE MEMORANDUM OF

DEPOSIT OF TITLE DEED EXECUTED BY VIJAYAKUMARI AMMA AND VINOD KUMAR, REPRESENTED BY P/A. HOLDER OF K VENUGOPALAN NAIR, VINIL KUMAR, REPRESENTED BY P/A. HOLDER VIJAYAKUMAR AMMA AND VINITHA WITH UNION BANK OF INDIA CONSORTIUM. EXHIBIT P11 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY C.P.VIKRAMAN NAIR, VIJAYAKUMAR AMMA AND VASANTHAKUMAR AMMA ON 12TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P12 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY K.RAVEENDRAN NAIR AND VASANTHAKUMAR AMMA, BOTH REPRESENTED BY P/A. HOLDER K VENUGOPALAN NAIR, ON 12TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P13 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY K.RAVEENDRAN NAIR AND VASANTHAKUMAR AMMA, BOTH REPRESENTED BY P/A. HOLDER K VENUGOPALAN NAIR, ON 12TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P14 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY K.RAVEENDRAN NAIR AND VASANTHAKUMAR AMMA, BOTH REPRESENTED BY P/A. HOLDER K VENUGOPALAN NAIR, ON 12TH JULY 2005 IN FAVOUR OF UNION BANK OF

INDIA CONSORTIUM. : 43 : EXHIBIT P15 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY K.RAVEENDRAN NAIR AND VASANTHAKUMAR AMMA, BOTH REPRESENTED BY P/A. HOLDER K VENUGOPALAN NAIR, ON 12TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P16 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY K VENUGOPALAN NAIR AND SOBHA VENUGOPALAN NAIR REPRESENTED BY P/A. HOLDER K.VENUGOPALAN NAIR ON 12TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P17 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY SOBHA VENUGOPALAN NAIR REPRESENTED BY P/A. HOLDER K.VENUGOPALAN NAIR ON 12TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P18 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY K VENUGOPALAN NAIR RAVINDRAN NAIR, VASANTHAKUMAR AND SHOBHA ON 25/7/2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P19 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY K VENUGOPALAN NAIR FOR HIMSELF AND AS P/A. HOLDER VIJAYA VIRKAMAN NAIR AND VASANTHA RAVEENDRAN NAIR 25TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM.

EXHIBIT P20 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY K VENUGOPALAN NAIR ON 25TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P21 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS EXECUTED BY N.GOPALAKRISHNAN NAIR ON 25 TH JULY 2005 IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. : 44 : EXHIBIT P22 A TRUE COPY OF THE FIST SUPPLEMENTARY

JOINT DEED OF TERM LOAN OF AGREEMENT DTED 31/10/2005 EXECUTED BETWEEN THE PARTIES M/S.DEVA PROJECTS PRIVATE LTD, K.VENUGOPALAN NAIR,, M/S.HOTEL VENUS INTERNATIONAL ON THE FIRST PART AND UNION BANK OF INDIA,

FEDERAL BANK LTD, ANDHARA BANK, ORIENTAL BANK OF COMMERCE, INDIAN OVERSEAS BANK, CORPORATION BANK, PUNJAB NATIONAL BANK, ALLAHABAD BANK AND INDIAN BANK AND INDIAN BANK

EXHIBIT P23

A TRUE COPY OF THE FIRST SUPPLEMENTARY

C.N.RAJAN, M.JAYACHANDRAN NAIR AND VIJAYAKUMAR AMMA IN FAVOUR OF UNION BANK OF INIDA CONSORTIUM.

EXHIBIT P24

A TRUE COPY OF THE FIRST SUPPLEMENTARY

VASANTHAKUMAR, SHOBHA, SUKUMARI AMMA AND VINITHA IN FAVOUR OF UNION BANK OF INIDA CONSORTIUM. EXHIBIT P25 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS DTED 31/10/2005 EXECUTED BY K VENUGOPALAN NAIR AND SOBHA VENUGOPALAN NAIR, IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM.

EXHIBIT P26 A TRUE COPY OF THE AGREEMENT DATED OF INDIA AND OTHER CONSORTIUM MEMBERS. EXHIBIT P27 A TRUE COPY OF THE IRREVOCABLE POWER OF ATTORNEY HOLDER DATED 13/7/2005 REGISTERED AS DOCUMENT NO.541/2005/IV. EXHIBIT P28 A TRUE COPY OF THE JOINT DEED OF TERM LOAN AGREEMENT DATED 27/2/2006 WAS EXECUTED BETWEEN THE PARTIES EXHIBIT P29 A TRUE COPY OF THE SALE DEED NO.1835/06 DATED 27/3/2006 EXECUTED BY GIDA IN FAVOUR OF HOTEL VENUS INTERNATIONAL : 45 : EXHIBIT P30 A TRUE COPY OF THE MEMORANDUM OF

DEPOSIT OF TITLE DEED DATED 31/3/2006 EXECUTED BY K VENUGOPALAN NAIR IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P31 A TRUE COPY OF THE SALE DEED NO.1834/06 DATED 27/3/2006 M/S.ANSU ENTERPRISES. EXHIBIT P32 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED DATED 31/3/2006 EXECUTED BY K VENUGOPALAN NAIR REPRESENTING M/S.ANSU ENTERPIRSES ON IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P33 A TRUE COPY OF THE SALE DEED NO.1833/06 DATED 27/3/2006 EXECUTED BY

GIDA IN FAVOUR OF K.VENUGOPALAN NAIR EXHIBIT P34 A TRUE COPY OF THE MEMORANDUM OF

DEPOSIT OF TITLE DEED DATED 31/3/2006 EXECUTED BY K VENUGOPALAN NAIR IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P35 A TRUE COPY OF THE SALE DEED DATED OF HOTEL VENUS INTERNATIONAL EXHIBIT P36 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED DATED 31/3/2006 EXECUTED BY K VENUGOPALAN NAIR IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. EXHIBIT P37 A TRUE COPY OF THE SUPPLEMENTARY TERM

LOAN AGREEMENT DATED 21ST MARCH, 2007, EXECUTED BETWEEN M/S.DEWA PROJECT PRIVATE LTD, M/S.ANSU ENTERPRISES, HOTEL VENUS INTERNATIONAL AND K.VENUGOPALAN NAIR, ON ONE PART AND UNION BANK OF INDIA AND 13 BANKS ON THE OTHER PART

EXHIBIT P38 A TRUE COPY OF THE RECONSTITUTED DEED OF PARTNERSHIP DATED 17/2/2010 IN RELATION TO M/S.ANSU ENTERPRISES EXHIBIT P39 A TRUE COPY OF THE ARTICLES OF ASSOCIATION OF M/S.ANSU ENTERPRISES PVT. LTD. : 46 : EXHIBIT P40 A TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF M/S.ANSU ENTERPRISES PVT. LTD. EXHIBIT P41 A TRUE COPY OF THE APPLICATION SUBMITTED BY M/S.ANSU ENTERPRISES PVT. LTD. TO THE VILLAGE OFFICER EXHIBIT P42 A TRUE COPY OF THE THANDAPER EXTRACT EXHIBIT P43 A TRUE COPY OF THE TAX RECEIPT EVIDENCING PAYMENT OF TAX IN THE NAME OF M/S.ANSU ENTERPRISES PVT. LTD. EXHIBIT P44 A TRUE COPY OF THE PAYMENT MADE IN RELATION TO THE 101 APARTMENTS

EXHIBIT P45

A TRUE COPY OF THE AGREEMENT FOR

DR.K.S.VENUGOPAL AND M/S.DEWA PROJECTS PVT.LTD ON 21/8/2013. EXHIBIT P46 A TRUE COPY OF THE AGREEMENT FOR SALE ENTERED INTO BETWEEN MRS.RITA VENUGOPAL AND DR.K.S.VENUGOPAL AND M/S.ANSU ENTERPRISES PVT. LTD NO EXHIBIT P47 A LIST RELATING PAYMENT

MADE BY MEMBERS OF THE COMPLAINANT ASSOICATION WHICH HAVE NOT BEEN GIVEN CREDIT BY M/S.DEWA PROJECTS PVT. LTD IN THEIR BOOKS OF ACCOUNTS

EXHIBIT P48 A TRUE COPY OF THE RGISTRATION CERTIFICATE NO.EKM/TC/178/2016. EXHIBIT P49 PRINTOUT TAKEN FROM THE INTERNET IN RELATION TO THE COCKERHAM BRIBERY CASE. EXHIBIT P50 A TRUE COPY OF THE JUDGMENT OF THE HONOURABLE HIGH COURT IN WPC NO.19773/2015. EXHIBIT P51 A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE 20TH RESPONDENT ON 14/3/2016. EXHIBIT P52 A TRUE COPY OF THE COMMUNICATION ISSUED BY THE 20TH RESPONDENT TO THE 1ST PETITIONER ASSOCIATION ON : 47 : EXHIBIT P53 A TRUE COPY OF THE POSTAL RECEIPT WITH A COPY OF TRACKING CERTIFICATE OF THE COMPLAINT TO CENTRAL VIGILANCE COMMISSION EXHIBIT P54 A TRUE COPY OF THE PRINTOUT SHOWING

THE COMPLAINT NO AND STATUS OF COMPLAINT REGISTERED ONLINE BEFORE THE CENTRAL VIGILANCE COMMISION WITH COMPLAINT NO.24646/2016/VIGILANCE NO.3. EXHIBIT P55 A TRUE COPY OF THE MUNITES ON THE CONSORTIUM MEETINS CONVENED BETWEEN REPRESENTATIVES OF THE BORROWERS AND LENDERS WHICH COULD BE OBTAINED BY THE PETITIONERS EXHIBIT P56 A TRUE COPY OF THE ADVERTISEMENT WHICH WAS PUBLISHED BY RESPONDENTS 1 TO 5 IN THE TIMES OF INDIA ON 13/9/2012. EXHIBIT P57 A TRUE COPY OF THE NEWS INTERM PUBLIHSED IN THE NEW INDIAN EXPRESAS DAILY ON 20TH MARCH 2016. EXHIBIT P58 A TRUE COPY OF THE COUNTER AFFIDAVIT FILED ON BEHALF OF RESPONDENTS 10 TO 12 IN I.A.NO.145 OF 2017 IN R.P.NO.939 OF 2016 IN W.P.(C) NO.19773. RESPONDENTS' EXHIBITS: EXHIBIT R21(a) TRUE COPY OF THE SCRUTINY REPORT OBSERVATIONS MADE BY RBI IN CONDUCT OF THE ACCOUNT OF M/s.DEWA PROJECTS PRIVATE LIMITED (DPPL) MAINTAINED WIHT THE CONSORTIUM BANKS (TWELVE BANKS AND ONE FINANCIAL INSTITUTION VIZ.SIDBI).

EXHIBIT R10 (a) STATEMENT SHOWING THE PROJECT COST. EXHIBIT R10 (b) TRUE COPY OF LETTER DATED 13.3.2017 FROM THE 10TH RESPONDENT TO THE LEAD BANK, UNION BANK OF INDIA. : 48 : APPENDIX OF WP(C) 2298/2017 PETITIONER'S EXHIBITS: Exhibit P1 TRUE COPY OF THE AGREEMENT. Exhibit P2 A TRUE COPY OF THE JOINT DEED OF TERM LOAN AGREEMENT. Exhibit P3 A TRUE COPY OF THE JOINT HYPOTHECATION AGREEMENT OF GOODS, DEBTS AND ASSETS. Exhibit P4 A TRUE COPY OF THE AGREEMENT OF GUARANTEE. Exhibit P5 A TRUE COPY OF THE SAID AGREEMENT OF GUARANTEE. Exhibit P6 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS. Exhibit P7 A TRUE COPY OF THE MEMORANDUM OF THE DEPOSIT OF TITLE DEEDS Exhibit P8 A TRUE COPY OF THE MEMORANDUM OF TITLE DEEDS EXECUTED BY VENUGOPALAN NAIR WITH UNION BANK OF INDIA CONSORTIUM DATED 13.07.2005. Exhibit P9 A TRUE COPY OF THE MEMORANDUM OF THE

DEPOSIT OF TITLE DEEDS WAS EXECUTED BY K. VENUGOPALAN NAIR IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM IN RELATION TO 34.500 CENTS. Exhibit P10 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT TITLE DEED WAS EXECUTED BY K. VENUGOPALAN NAIR WITH UNION BANK OF INDIA CONSORTIUM IN RELATION TO 5 ACRE 90CENT 500 SQ LINKS OF LAND DATED 13.07.2005

Exhibit P11 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT TITLE DEED WAS EXECUTED BY VIJAYAKUMARI AMMA AND VINOD KUMAR. Exhibit P12 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT TITLE DEED WAS EXECUTED IN RELATION TO 1 ACRE 68 CENTS OF LAND Exhibit P13 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT TITLE DEED WAS EXECUTED IN RELATION TO 25 CENTS OF LANDS. : 49 : Exhibit P14 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED IN RELATION TO 7 CENTS OF LAND Exhibit P15 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT TITLE DEED WAS EXECUTED IN RELATION TO 13.593 CENTS OF LAND Exhibit P16 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED IN RELATION TO 48 CENTS OF LANDS. Exhibit P17 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED

WAS EXECUTED IN RELATION TO 54.94 ACRE OF LAND. Exhibit P18 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED IN RELATION TO 1 ACRE OF LAND. Exhibit P19 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED IN RELATION TO 40.64 HECTORSCENTS OF LAND Exhibit P20 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED IN RELATION TO 19.015 CENTS OF LANDS Exhibit P21 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED IN REALATION TO 34 CENTS OF LAND Exhibit P22 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED IN RELATION TO 1.30 ACRE OF LAND. Exhibit P23 A TRUE COPY OF THE 1ST SUPPLEMENTARY JOINT LEAD OF RETURN LOAN OF AGREEMENT Exhibit P24 A TRUE COPY OF THE FIRST SUPPLEMENTARY AGREEMENT FOR GUARANTEE WAS EXECUTED IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. Exhibit P25 A TRUE COPY OF THE FIRST SUPPLEMENTARY AGREEMENT FOR GUARANTEE NO.2 WAS EXECUTED FAVOUR OF UNION BANK OF INDIA OF INDIA CONSORTIUM. Exhibit P26 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED IN RELATION TO 12 CENTS OF LAND. Exhibit P27 A TRUE COPY OF AN AGREEMENT WAS EXECUTED BETWEEN UNION BANK OF INDIA AND OTHER CONSORTIUM MEMBERS. : 50 : Exhibit P28 A TRUE COPY OF THE COPY OF THE IRREVOCABLE POWER OF ATTORNEY REGISTERED AS DOCUMENT NO.541/2005/IV Exhibit P29 A TRUE COPY OF THE JOINT DEED OF TERM LONG AGREEMENT WAS EXECUTED BETWEEN THE PARTIES. Exhibit P30 A TRUE COPY OF THE SALE DEED WAS

EXECUTED BY GIDA IN FAVOUR OF HOTEL VENUS INTERNATIONAL , WHICH HAS BEEN REGISTERED AS DOCUMENT NO.1835/2006 IN RELATION TO PLOT NO.B Exhibit P31 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED BY K.VENUGOPALAN NAIR IN FAVOUR UNION BANK OF INDIA CONSORTIUM. Exhibit P32 A TRUE COPY OF THE SALE DEED WAS EXECUTED BY GIDA IN FAVOUR OF M/S.ANSU ENTERPRISES WHICH HAS BEEN REGISTERED AS DOCUMENT NO.1834 OF 2006 FOR PLOT NO.C 35. Exhibit P33 A TRUE COPY OF THE MEMORANDUM

OF DEPOSIT OF TITLE DEED WAS EXECUTED IN RELATION TO 632.02 CENTS OF LAND. Exhibit P34 A TRUE COPY OF THE SALE DEED WAS EXECUTED BY GIDA IN FAVOUR OF K.VENUGOPALAN NAIR WHICH HAS BEEN REGISTERED AS DOCUMENT NO.1833 OF 2006 IN RELATION TO PLOT NO.C3. Exhibit P35 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED IN RELATION TO 539.02 CENTS OF LAND Exhibit P36 A TRUE COPY OF THE SALE DEED WAS EXECUTED BY GIDA IN FAVOUR HOTEL VENUS INTERNATIONAL IN RELATION TO PLOT NO.C4. Exhibit P37 A TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED WAS EXECUTED BY SRI.K.VENUGOPALAN NAIR IN FAVOUR OF UNION BANK OF INDIA CONSORTIUM. : 51 : Exhibit P38 A TRUE COPY OF THE SUPPLEMENTARY TERM LOAN AGREEMENT WAS EXECUTED BETWEEN M/S. DEWA PROJECTS PRIVATE LIMITED, M/S. ANSU ENTERPRISES HOTEL VENUS INTERNATIONAL AND K.VENUGOPALAN NAIR ON ONE PART AND UNION BANK OF INDIA AND 13 BANKS.

Exhibit P39 A TRUE COPY OF THE DEED OF PARTNERSHIP Exhibit P40 A TRUE COPY OF THE ARTICLES OF ASSOCIATION OF M/S. ANSU ENTERPRISES P.LTD, 4TH RESPONDENT. Exhibit P41 A TRUE COPY OF THE RESOLUTION WAS PASSED BY THE BOARD OF DIRECTORS M/S. ANSU ENTERPRISES PVT. LTD. (4TH RESPONDENT) Exhibit P42 A TRUE COPY OF THE APPLICATION

SUBMITTED BY M/S. ANSU ENTERPRISES P.LTD. (4TH RESPONDENT) TO THE VILLAGE OFFICER FOR EFFECTING TRANSFER OF REGISTRY . Exhibit P43 A TRUE COPY OF A THANDAPER EXTRACT EVIDENCING THIS FACT. Exhibit P44 A TRUE COPY OF THE TAX RECEIPTS EVIDENCING PAYMENT OF TAX IN THE NAME OF M/S. ANSU ENTERPRISES .

Exhibit P45 A TRUE COPY OF THE PAYMENT RECEIPT NO.Exhibi
: 52 :

Exhibit P45 H A TRUE COPY OF THE PAYMENT RECEIPT NO.Exhibi

FOUR FRAMES SOUND COMPANY Exhibit P47 TRUE COPY OF THE LIST OF PAYMENT MADE BY MEMEBERS OF THE PETITIONER ASSOCIATION Exhibit P48 A TRUE COPY OF THE REPRESENTATION PREFERRED BEFORE THE 21ST RESPONDENT Exhibit P49 TRUE COPY OF THE REPRESENTATION PREFERRED BEFORE THE 22 ND RESPONDENT. : 53 : APPENDIX OF WP(C) 36086/2023 PETITIONER'S EXHIBITS: Exhibit P1 TRUE COPY OF THE COMMON JUDGMENT DATED 03.01.2019 IN WA NO.1041/2018 OF THIS HON'BLE HIGH COURT Exhibit P2 TRUE COPY OF THE JUDGMENT IN WPC NO.7382/2015 DATED 02.12.2015 Exhibit P3 TRUE COPY OF THE COMMON ORDER IN RP NO.937/16 DATED 30.03.2017 Exhibit P4 TRUE COPY OF COMMON JUDGMENT IN WPC NO.34521/2017 OF THIS HON'BLE COURT DATED 20.03.2018 Exhibit P5 TRUE COPY OF REPRESENTATION BEFORE RESPONDENTS DATED NIL. : 54 : APPENDIX OF WP(C) 39804/2023 PETITIONERS' EXHIBITS: Exhibit P1 TRUE COPY OF THE TERM LOAN AGREEMENT DATED 27/02/2006 Exhibit P2 TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED DATED 31/03/2006 IN RESPECT OF PLOT NO.C5 Exhibit P3 TRUE COPY OF THE JUDGMENT DATED W.P(C) NO. 19773 OF 2015 Exhibit P4 TRUE COPY OF THE JUDGMENT DATED OF THE SINGLE BENCH OF HIGH COURT OF KERALA Exhibit P5 TRUE COPY OF THE JUDGMENT DATED THE DIVISION BENCH OF HIGH COURT OF KERALA Exhibit P6 TRUE COPY OF THE JUDGMENT DATED OF HIGH COURT OF KERALA Exhibit P7 TRUE COPY OF THE COMPLAINT (WITHOUT ANNEXURES) FILED BY RESPONDENTS 2 TO 5 BEFORE THE 1ST RESPONDENT IN COMPLAINT NO. 276 OF 2022 Exhibit P8 TRUE COPY OF THE REPLY FILED BY THE PETITIONER HEREIN (WITHOUT ANNEXURES) BEFORE THE 1ST RESPONDENT IN COMPLAINT NO. 276 OF 2022 Exhibit P9 TRUE COPY OF THE ADDITIONAL AFFIDAVIT DATED NIL FILED BY RESPONDENT NO.3 BEFORE THE 1ST RESPONDENT IN COMPLAINT NO. 276 OF 2022 Exhibit P10 TRUE COPY OF THE ADDITIONAL REPLY DATED 03/07/2023, FILED BY THE PETITIONERS HEREIN BEFORE THE 1ST RESPONDENT IN COMPLAINT NO. 276 OF Exhibit P11 TRUE COPY OF THE SALE NOTICE DATED PETITIONER : 55 : Exhibit 12 TRUE COPY OF THE ORDER DATED OF THE 1ST RESPONDENT Exhibit P13 TRUE COPY OF THE

AGREEMENT DATED RESPONDENT AND RESPONDENTS 4 AND 5 RESPONDENTS' EXHIBITS: EXHIBIT R8(A) TRUE COPY OF THE REPORT PREPARED ON THE BASIS OF THE SCRUTINY WAS SUBMITTED TO THE HONBLE COURT. : 56 : APPENDIX OF WP(C) 39936/2023 PETITIONER'S EXHIBITS: Exhibit P1 TRUE COPY OF THE JUDGMENT DATED 20-03- 2018 IN WP(C) NO 34521/2017

Exhibit P2 TRUE COPY OF THE COMMON JUDGEMENT

DATED 03-01-2019 IN WA NO 999 OF 2018 AND WA NO 1041 OF 2018 Exhibit P3 TRUE COPY OF THE E-AUCTION SALE NOTICE DATED 13-09-2023 ISSUED BY UNION BANK CONSORTIUM Exhibit P4 TRUE COPY OF THE IA NO 3103/2023 DATED 18-09-2023 FILED BEFORE DRT 1 ERNAKULAM IN PENDING SA NO 219/2023 Exhibit P5 TRUE COPY OF THE ORDER PASSED BY DRT 1 ERNAKULAM IN IA NO 3103/2023 IN SA NO Exhibit P6 TRUE COPY OF IA NO 3960/2023 DATED 09- 11-2023 IN SA NO 219/2023 Exhibit P7 TRUE COPY OF THE ORDER DATED 20-10-

2023 PASSED BY THE KERALA REAL ESTATE REGULATORY AUTHORITY THIRUVANANTHAPURAM IN COMPLAINT NO ASSOCIATION AND THREE OTHERS AGAINST THE ASSISTANT GENERAL MANAGER AND AUTHORISED OFFICER, UNION BANK OF INDIA CONSORTIUM

Exhibit P8 TRUE COPY OF LIST OF 252 HOME BUYERS OTHER THAN THOSE MENTIONED IN EXHIBIT P7. RESPONDENTS' EXHIBITS: EXHIBIT R1(A) TRUE COPY OF ORDER DATED 10/05/2023 IN I.A. NO.1499 OF 2023 IN S.A NO.219 OF 2023 OF THE DEBTS RECOVERY TRIBUNAL - 1, ERNAKULAM. EXHIBIT R2(A) TRUE COPY OF THE SALE CERTIFICATE DATED 15/01/2024. : 57 : APPENDIX OF WP(C) 40397/2023 PETITIONER'S EXHIBITS: Exhibit -P1 TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF THE 1ST PETITIONER ASSOCIATION DATED 09.03.2016 WITH REG.NO.EKM/TC/178/2016 Exhibit -P2 A TRUE COPY OF THE JUDGEMENT DATED 20.03.2018 IN WP(C) 34521 OF 2017 Exhibit -P3 TRUE COPY OF THE JUDGEMENT DATED 03.01.2019 IN WA 999 OF 2018 Exhibit -P4 TRUE COPY OF THE ORDER DATED 13.09.2019 OF THE HON'BLE NCLT, KOCHI IN IBA 23/KOB/2019 Exhibit -P5 TRUE COPY OF

THE LIST OF CLAIMS ADMITTED BY THE LIQUIDATOR Exhibit -P6 TRUE COPY OF THE NOTICE DATED 18 FEBRUARY 2022 ISSUED UNDER RULE 8(6) AND 9 OF THE (SECURITY INTEREST ENFORCEMENT) RULES, 2002 Exhibit -P7 TRUE COPY OF THE JUDGMENT DATED 04.08.2022 IN W.P (C) 8054/2022 Exhibit -P8 TRUE COPY OF THE ORDER DATED 20.10.2023 ISSUED BY THE HON'BLE REAL ESTATE REGULATORY AUTHORITY Exhibit -P9 TRUE COPY OF THE SALE NOTICE DATED 13.09.2023 Exhibit -P9a TRUE COPY OF THE LEGAL NOTICE ISSUED ON BEHALF OF THE PETITIONER Exhibit -P10 TRUE COPY OF THE AGREEMENT DATED 27.02.2006 Exhibit -P10a TRUE COPY OF THE IRREVOCABLE POWER OF ATTORNEY DATED 13-7-2005 REGISTERED AS DOCUMENT NO.541/2005/IV Exhibit -P11 TRUE COPY OF THE JOINT DEED OF TERM LOAN AGREEMENT DATED 27.02.2006 Exhibit -P12 TRUE COPY OF THE SALE DEED DATED 27.03.2006 IN FAVOUR OF M/S. ANSU ENTERPRISES (PARTNERSHIP FIRM), : 58 : Exhibit -P13 TRUE COPY OF THE SALE DEED DATED 27.03.2006 IN FAVOUR OF THE HOTEL VENUS INTERNATIONAL Exhibit -P14 TRUE COPY OF THE SALE DEED DATED 27.03.2006 IN FAVOUR OF MR. K VENUGOPALAN NAIR. Exhibit -P15 TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED DATED 31.03.2006 EXECUTED BY M/S. ANSU ENTERPRISES (PARTNERSHIP FIRM),

Exhibit -P15a TRUE COPY OF THE MEMORANDUM OF DEPOSIT

INTERNATIONAL Exhibit -P16 TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED DATED 31.03.2006 EXECUTED BYMR. K VENUGOPALAN NAIR Exhibit -P17 TRUE COPY OF THE SUPPLEMENTARY TERM LOAN AGREEMENT DATED 21ST MARCH 2007 Exhibit -P18 TRUE COPY OF THE SCRUTINY REPORT FILED BY THE RBI Exhibit -P19 TRUE COPY OF THE SAID RESOLUTION DATED 15.09.2010 Exhibit -P20 TRUE COPY OF THE APPLICATION SUBMITTED

BY THE ANSU ENTERPRISES PRIVATE LTD. TO THE VILLAGE OFFICER FOR EFFECTING TRANSFER OF REGISTRY ON 09.10.2012

Exhibit -P21 TRUE COPY OF THE THANDAPER EXTRACT EVIDENCING THIS FACT ON 10.02.2016 Exhibit -P22 TRUE COPY OF THE TAX RECEIPT

EVIDENCING PAYMENT OF TAX IN THE NAME OF M/S. ANSU ENTERPRISES ON 10.02.2011 Exhibit -P23 TRUE COPY OF THE DETAILS OF THE PAYMENTS MADE IN RELATION TO THE 101 APARTMENTS IS ANNEXED Exhibit -P24 TRUE COPY OF ONE SUCH AGREEMENT FOR

SALE ENTERED INTO BETWEEN MRS. RITA VENUGOPAL AND DR. K.S. VENUGOPAL AND THE DEWA PROJECTS PRIVATE LIMITED ON 21.08.2013 : 59 : Exhibit -P25 TRUE COPY OF ONE SUCH AGREEMENT FOR CONSTRUCTION ENTERED INTO BETWEEN MRS. RITA VENUGOPAL AND DR. K. S. VENUGOPAL AND THE 2ND RESPONDENT ON 21.08.2013 Exhibit - P26 A TRUE COPY OF THE DETAILS OF COCKERHAM BRIBERY CASE AS AVAILABLE ON THE INTERNET Exhibit -P27 TRUE COPY OF THE JUDGEMENT OF THIS HON'BLE COURT DATED 02.12.2015 IN WP

(C) 7382OF 2015

Exhibit -P28 TRUE COPY OF THE JUDGMENT DATED 30.03.2017 IN R.P NO.939/2016 Exhibit -P29 TRUE COPY OF THE PROCEEDINGS DATED 23.09.2017 IN S.A NO. 181 OF 2017 Exhibit -P30 TRUE COPY OF THE WRITTEN STATEMENT DATED 22.09.2017 Exhibit -P31 TRUE COPY OF THE ADDITIONAL WRITTEN STATEMENT DATED 12.10.2017 Exhibit -P32 TRUE COPY OF THE AUCTION NOTICE DATED 19.08.2017 Exhibit -P33 TRUE COPY OF THE ORDER DATED 25.11.2021 IN IA (IBC) 87/KOB/21 Exhibit -P34 TRUE COPY OF THE LETTER DATED 19.02.2022 ISSUED BY THE LIQUIDATOR OF DEWA PROJECTS PRIVATE LIMITED.

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