

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

Petition(s) for Special Leave to Appeal (Civil) No(s).146/2013

(From the impugned interim order dated 20.12.2012 in Notice of Motion No.317 of 2012 in W.P.No.658 of 2009 of the HIGH COURT OF BOMBAY)

LATA PROPERTIES

Petitioner(s)

VERSUS

SAIKUMAR RAMMURTHY & ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and with prayer for interim relief)

Date: 08/01/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr.P.S.Patwalia, Sr.Adv.  
Mr.S.Aravindh, Adv.  
Ms.Usha M.Rahi, Adv.  
Mr. Rakesh K. Sharma, Adv.

For Respondent(s)

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

Taken on board.

This petition is directed against order dated 20.12.2012 passed by the Division Bench of the Bombay High Court whereby some directions were given in the matter of auction of the flats constructed by the petitioner. In paragraph 11 of the impugned order, the High Court noted that Deputy Chief Engineer of SRA has sent written communication to the Senior Inspector of Police, Sion Police Station for registration of FIR for an offence under Section 53 of the Maharashtra Regional and Town Planning Act, 1966 and Indian Penal Code and observed:

"We hope and trust that by the next date of hearing the Senior Inspector of Police, Sion Police Station would be in a position to submit enquiry/investigation status report to the Court in a sealed cover. We make it clear that the said Police Officer shall proceed in accordance with law irrespective of pendency of this matter."

After arguing the case for some time, learned senior counsel for the petitioner made a request that his client may be permitted to withdraw the special leave petition with liberty to pursue other remedies.

The request of the learned senior counsel is accepted and the special leave petition is dismissed as withdrawn with liberty in terms of the prayer made.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master