

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).1208/2013

(From the judgement and order dated 06/12/2012 in WP No.1385/2012 of The HIGH COURT OF BOMBAY)

M/S. GRASIM INDUSTRIES LTD.

Petitioner(s)

VERSUS

MANISH ESTATES PVT.LTD. & ORS.

Respondent(s)

(With appln(s) for permission,exemption from filing c/c of the impugned Judgment, permission to place addl. documents on record and office report))

WITH

SLP(C) NO. 1357 of 2013

(With appln.(s) for exemption from filing C/C of the impugned judgment and permission and impleadment as party respondent and with prayer for interim relief and office report)

I.A. No. 1 in &

S.L.P. (C)..../2013 [CC 16501/2013]

(for permission to file SLP and office report)

Date: 09/12/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)

SLP 1208/2013 &
SLP 1357/2013

Mr. Harish N. Salve, Sr. Adv.
Mr. Mukul Rohatgi, Sr. Adv.
Mr. Sunil Tilokchandani, Adv.
Mr. Ankur Saigal, Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. E.C. Agrawala, Adv.
Mr. Abhinav Agrawal, Adv.
Mr. Rohit Jolly, Adv.

SLP .../2013

[CC 16501/2013] Mr. Prashant Bhushan, Adv.

Mr. Ramesh Mishra, Adv.

For Respondent(s)

Mr. Vijay Hansaria, Sr. Adv.
Mr. Sanjay Sarin, Adv.
Ms. Gagan Deep Kaur, Adv.
Ms. Manjusha Wadhwa, Adv.

Mrs Sarla Chandra ,Adv

Mr. U.U. Lalit, Sr. Adv.
Mr. Dhruv Mehta, Sr. Adv.
Ms. Jayashree Wad, Adv.
Mr. Ashish Wad, Adv.
Ms. Tamali Wad, Adv.
Ms. Kanika Baweja, Adv. for

M/S. J.S. Wad & Co.

Mr. Prashant Bhushan, Adv.

Mr. Ramesh Mishra, Adv.

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

Mr. Harish N. Salve, learned senior counsel for the petitioners - M/s. Grasim Industries Ltd. (S.L.P. (Civil) No. 1208/2013) and M/s Hindalco Industries Ltd. (S.L.P. (Civil) No. 1357/2013) - submits that the petitioners shall make fresh application with regard to plot numbers 216 and 216A before the Commissioner, Municipal Corporation of Greater Mumbai (for short, 'Commissioner') within one week from today. He further submits that the Manish Commercial Premises Co-operative Society Ltd. (for short, 'Society'), petitioner in S.L.P. (C) No..../2013 [CC No. 16501/2013], and all other occupants of the subject property may file their objections to that application within the time as may be given by the Commissioner. Learned senior counsel further submits that the Commissioner may then be requested to consider the application of the petitioners - M/s. Grasim Industries Ltd. and M/s Hindalco Industries Ltd. - and the objections of the Society and the occupants in accordance with law afresh.

This course is not opposed to by Mr. Prashant Bhushan, learned counsel for the Society, Mr. Vijay Hansaria, learned senior counsel for the respondent No. 1 - Manish Estates Pvt. Ltd., and Mr. U.U. Lalit, learned senior counsel for the respondent - Municipal Corporation of Greater Mumbai.

Having regard to the above, we pass the following order :-

(1) The petitioners - M/s. Grasim Industries Ltd. (S.L.P. (Civil) No. 1208/2013) and M/s Hindalco Industries Ltd. (S.L.P. (Civil) No. 1357/2013) - may make fresh application in respect of the two plot numbers 216 and 216A before the Commissioner within one week from today.

(2) The Society, Manish Estates Pvt. Ltd. and the occupants may file their objections/responses within three weeks of receipt of copy of the application or the time that may be granted by the Commissioner.

(3) The Commissioner shall then consider the application and objections/responses of the Society, Manish Estates Pvt. Ltd. and the occupants and then pass fresh order after hearing them uninfluenced by the observations made in the order of the High Court as early as may be possible and preferably within eight weeks after the pleadings of the parties are complete.

List these special leave petitions on March 24, 2014.

|(Rajesh Dham)
|Court Master

|(Renu Diwan)
|Court Master

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