

LISTED ON:

COURT NO:

ITEM NO:

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO. 11

(Application for early hearing filed by Mr. Nirnimesh Dube, Advocate for
Respondent Nos. 1 and 2)

IN

CIVIL APPEAL No. 7702 of 2013

GITABAI MARUTI RAUT (DEAD)

...APPELLANTS

-VERSUS-

PANDURANG MARUTI RAUT & ORS.

...RESPONDENTS

OFFICE REPORT

It is submitted that I.A No. 7 of 2016 (Application for early hearing) in C.A No. 7702 of 2013 was listed before the Hon'ble Court on 05.09.2016 when the Court was pleased to pass the following order:

"We have heard learned counsel for the parties at some length. While we do not see any reason to direct early disposal of this appeal at this stage, we are inclined to make it clear that our order dated 30th August, 2013 shall not prevent the respondent No.8-applicant herein from developing the property purchased by him at Nande subject to the outcome of this appeal at his own risk and without claiming any equity in his favour on account of any such development.

We make it further clear that the respondent shall not in the event of any development of the property alienate or otherwise encumber the same. As regards the property at Pirangut and Lavale, the parties shall maintain status quo as it exists today."

It is further submitted that I.A No. 10 of 2016 in I.A No. 7 of 2016 in C.A No. 7702 of 2013 was listed before the Hon'ble Court on 04.01.2017 when the Court was pleased to pass the following order:

"Interim Order dated 5.9.2016 is with respect to Lavale property also. It is submitted that property of

Lavale is not questioned in the present appeal. Consequently, the interim Order is modified to the extent that the word 'Lavale' is deleted from the order dated 05.09.2016.

Interlocutory application No. 10 is allowed accordingly."

It is submitted for the information of the Hon'ble Court that there are 12 respondents i.e. Respondent Nos. 1 to 8 and 10 to 13 in the matter above-mentioned. Respondent No. 9 has been transposed as Appellant No. 2 vide Court's order dated 02.05.2016 passed in Interlocutory Application No. 6.

It is again submitted that Respondent Nos. 1 to 5, 8 and 11 to 13 are represented through M/s. Nirnimesh Dube, T. Mahipal and Anil Kumar Tandale, Advocates respectively. Respondent Nos. 6 and 7 have been served at SLP stage but no one has entered appearance on their behalf. Respondent No. 10 has expired and Lrs. of deceased Respondent No. 10 have been brought on record vide Ld. Registrar Order dated 12.01.2017 passed in I.A No. 8 of 2016.

It is lastly submitted that Mr. Nirnimesh Dube, Advocate has filed an application for early hearing on behalf of Respondent Nos. 1 and 2 and the same has been registered as Interlocutory Application No. 11 and placed with appeal paper-books.

The application for early hearing in the matter above-mentioned is listed before the Hon'ble Court with this report.

Dated this the 09th day of February, 2017.

ASSISTANT REGISTRAR

Copy to:

Mr. Sudhanshu S. Choudhari, Advocate

Mr. Nirnimesh Dube, Advocate

Mr. T. Mahipal, Advocate

Mr. Anil Kumar Tandale, Advocate

ASSISTANT REGISTRAR