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SLP(C)No. 3356 OF 2005
ITEM No.26 + 41

Court No. 8

SECTION IX

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.3356/2005

(From the judgement and order dated 19/01/2005 in AFO 1028/02
of The HIGH COURT OF BOMBAY)

JAGDISH TUKARAM MULIK & ORS.

Petitioner (s)

VERSUS

SUKUMAR ESTATES LTD. & ORS.

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for exemption from filing c/c of the impugned Judgment)

With

SLP(C)No.4195/2005, 4320/2005 and 4715/2005

(With Appln(s). for exemption from filing c/c of the impugned
Judgment and with prayer for interim relief and office report)

Date : 25/02/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner (s)Mr. R.F. Nariman, Sr.Adv.

Mr. P. Chauhan,Adv.

Mr. Himanshu Gupta,Adv.

Mr. Brij Kishor Sah,Adv.

Mr. Shivaji M. Jadhav,Adv.

For Respondent (s)Mr. Soli J. Sorabjee, Sr.Adv.

Mr. Mukul Rohtagi, Sr.Adv.

Mr. Gopal Jain,Adv.

Mr. Sanjeev Sen,Adv.

Mr. M.S. Bodhanwalla,Adv.

Mr. R.N. Karanjawala,Adv.

Mrs. Nandini Gore,Adv.

Ms. Pragya Singh Baghel,Adv.

Mr. Sarvesh Singh,Adv.

Mrs. Manik Karanjawala,Adv.

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UPON hearing counsel the Court made the following

O R D E R

Heard.

We are not inclined to interfere at this stage with the orders passed by the High Court affirming the orders passed by the Trial Court. The special leave petitions are, accordingly, dismissed.

However, it will be in the interest of the parties if the hearing of the Suit is expedited. L

et the Trial Court make an effort to complete trial of the Suit within six months. Parties undertake to cooperate for early disposal.

We make it clear that observations, if any, made by the High Court while affirming the orders of the Trial Court in the matter of interim injunction shall not weigh with the Trial Court while finally adjudicating the issues in the Suit. If any third party rights are created, it goes without saying that the same shall be subject to the outcome of the Suit and the person in whose favour such rights, if any, are created, shall be informed about the pendency of the Suit by the party creating such rights.

(Neena Verma) (Vijay Aggarwal)
Court Master Court Master