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ITEM No.29

Court No. 4

SECTION IVA  
A/N MATTER

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.13159-13212/1999

(From the judgement and order dated 03/11/1998 in MFA 4085/98 to  
4088/98,MFA 3765/98,MFA 3862/98,MFA 3793/98 to 3807/98,MFA 3855/98,MFA  
3864/98,MFA 3783/98,MFA 3885/98 to MFA 3824/98 of The HIGH COURT OF  
KARNATAKA AT BANGALORE)

KARNATAKA MILK FED. LTD.

Petitioner (s)

VERSUS

SATHYAM & ORS

Respondent (s)

(With prayer for interim relief)  
( With Appln(s). for c/delay in filing SLP )

Date : 15/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS  
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. P.P.Rao,Sr.Adv.  
Mr. P.R. Ramasesha,Adv.

For Respondent (s) Mr. S.N. Bhat,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.J

.SP2

Leave granted.  
Appeals are disposed of.

.SP1

(Suman Wadhwa) (H.K. Bhatia)  
PA to Addl.Regr. Court Master

Signed order is placed on the file.

.PA  
.PL55

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 568-621 OF 2001@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC  
(Arising out of SLP(C)Nos.13159-13212/99)

Karnataka Milk Fed.Ltd.

...Appellant

Vs.

Sathyam & Ors.

...Respondents

ORDER@@  
CCCCC

.....L.....I.....T.....T.....T.....T.....T.....J.....R  
.SP2

Leave granted.

On 2.9.1999 we passed an order the operative portion of which reads thus:

.....L.....I.....T.....T.....T.....T.....TJ.  
.SP1

"Considering the fact that it is undisputable that the land was acquired and it vests in the petitioner, there is no question of granting any injunction directing the petitioner to maintain status-quo. Even if any injunction was required to be granted, it ought to have been confined to the constructed portion of the suit land. In this view of the matter, till further order, that part of the impugned order is stayed directing the petitioner to maintain status-quo in regard to other acquired land. It is clarified that status-quo would be maintained by the parties with regard to land on which there is construction made by the plaintiffs."

.....L.....I.....T.....T.....T.....T.....T.....TJ  
.SP2

Though it was intended to remain in force till the disposal of the special leave petitions we now think that this arrangement can be allowed to remain in force till the disposal of the suit. All that need be added thereto is

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that the persons who have to reach the buildings already completed can have access to such buildings through the adjacent land free from any obstruction caused by others. Mr. P.P.Rao, learned senior counsel submitted that the egress and ingress to such buildings will not be obstructed till the disposal of the suit. By adopting the said conditions as the arrangement to be imposed till the disposal of the suit this appeal is disposed of.

.SP1

.....J.  
(K.T. Thomas)

New Delhi;  
January 15,2001.

.....J.  
(R.P.Sethi)