

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).4542/2006

(From the judgement and final order dated 23/02/2006 in A No. 16/1997 & WP No. 1800/1996 of The HIGH COURT OF BOMBAY)

CHHATRAPATI SHIVAJI MAHARAJ SMARAK SAMIT

Petitioner(s)

VERSUS

SARVAJANIK SHRI GANESHOTSAV MANDAL &ORS.

Respondent(s)

(With appln(s) for directions, permission to file additional documents and prayer for interim relief )

Date: 11/05/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH  
HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Mr. R.F.Nariman, Sr.Adv.  
Mr. Shivaji M. Jadhav, Adv.  
Mr. Himanshu Gupta, Adv.  
Mr. Brij Kishor Sah, Adv.  
Mr. Raj Shekhar Bovilkar, Adv.

For Respondent(s)

Mr. Shekhar Naphade, Sr.Adv.  
Mr. Vinay Navare, Adv.  
Mr. Naresh Kumar, Adv.

Mr. Pallav Shishodia, Adv.  
Mr. Hemant Sharma, Adv.  
Mr. D.N. Mishra, Adv.

Mr. Sunil K. Varma, Adv.  
Mr. T.Raja, Adv.

For Intervenor

Mr. Chinmoy Khaladkar, Adv.  
Mr. S.K.Nandy, Adv.

For State of  
Maharashtra

Mr. S.S.Shinde, Adv.  
Mr. V.N.Raghupathy, Adv.

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

The petitioner has filed before us an affidavit affirmed by Shri Ramesh Yeshwant Prabhoo on 10th May, 2006. the same is taken on record.

We do not wish to make any observation with regard to the submissions made before us today because we shall deal with all these matters on a subsequent day. Pursuant to our Order dated 25th April, 2006 we are informed that there has been some discussion between the Municipal Corporation of Delhi and the Petitioner. A sum of Rs.25 lacs, as directed, has been deposited with the Corporation which is 'on account' payment only subject to further orders.

In the circumstances and having regard to the summer season, and in the larger interest of public, we direct that the Corporation will handover possession to the Petitioner-Samiti within three days so that the public may have the benefit of the facilities offered during the summer season. We make it clear that we have not decided any of the issues yet, and we shall finally deal with these issues after the summer vacation. The Municipal Corporation and the petitioner may well utilise the summer vacation for further discussion on the remaining issues.

Put up in the week of 24th July, 2006.

I.A.No...../2006

Heard Mr. Shekhar Naphade, learned Senior Counsel on the application. The I.A. is rejected.

I.A.No.5 of 2006

No orders on the application for intervention for the present.

(Sukhbir Paul Kaur)  
Court Master

(Vijay Dhawan)  
Court Master