

S U P R E M E            C O U R T   O F   I N D I A  
R E C O R D   O F   P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).15814/2011

(From the judgement and order dated 23/05/2011 in            RFA No. 421/2009  
of The High Court of Karnataka at Bangalore)

M/S INTERNATIONAL SOC.FOR KRISHNA,BANGALORE            Petitioner(s)

VERSUS

M/S INTERNL.STY.FOR KIRSHNA MUMBAI& ORS            Respondent(s)

(With appln(s) for exemption from filing O.T.,permission to place  
addl. documents on record,PERMISSION TO FILE LENGTHY LIST OF DATES  
and prayer for interim relief and office report )

Date: 06/06/2011            This Petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN  
HON'BLE MR. JUSTICE SWATANTER KUMAR

(VACATION BENCH)

For Petitioner(s)            Mr.    U.U.Lalit ,Sr.Adv.  
   Mr.    mathai M.Paikeday ,Sr.adv.  
   Mr.    Amit Singh,Adv.  
   Mr.    Srinivas Raghavan,Adv.  
   Mr.    N.Rao,Adv.  
   Mr.    TVS Raghavendra Sreyas,Adv.  
   Mr.    Ashu Kansal,Adv.  
   Mr.    Nikhil Nayyar,Adv.

For Respondent(s)            Dr.    A.M.Singhvi ,Sr.Adv.  
   Mr.    Uday Holla ,Sr.Adv.  
   Ms.    B. Vijayalakshmi Menon,Adv.  
   Ms.    Ekta Kapil,Adv.  
   Mr.    Pratyush Miglani,Adv.  
   Mr.    D.R.Ravi Shankar,Adv.  
   Mr.    Sanjeeb Panigrahi,Adv.

-2-

UPON hearing counsel the Court made the following

O R D E R

It is unfortunate but true that the two societies  
stated            to    be    societies            for    the    purposes            of    Krishna  
Consciousness and advance its objects the Krishna have  
chosen            to    litigate            with    regard    to    the    temple,            its  
management and properties at Bangalore.

The    Trial    Court    vide    its    judgment            and    decree  
dated 17th April, 2009 had decreed the suit            in favour  
of the Bangalore Society.            This    judgment            and    decree  
was set aside by the High Court vide its judgment dated

23rd May, 2011 passed in

Regular First Appeal

No. 421

of 2009 and suit was dismissed while the counter claim

of the defendant was partially decreed. The Court

passed a decree of injunction against the Bangalore

Society restraining its office bearers and person/

persons claiming through or under each of them from

interfering with the possession and enjoyment of the

property detailed in the schedule to the plaint by

ISKCON Bangalore Society. Aggrieved by the said decree

of the High Court, the present petition has been filed

before this Court.

-3-

After passing the decree in favour of the Bombay

Society on 23rd May, 2011 the High Court also passed an

order on 24th May, 2011 issuing certain directions

wherein some relief was also given to the present

petitioner i.e. Bangalore Society.

Having heard the learned counsel appearing for

the parties and examining the prima facie merit or

otherwise of the contentions raised, we are of

considered view that the following orders need to be

passed at this stage:

1. Issue notice.
2. Ms. B.Vijayalakshmi Menon, Advocate accepts notice.
3. In the meantime, counter affidavit may be filed.
4. The matter shall be listed for consideration/continuation of the interim orders immediately after reopening of the Court.
5. In the meanwhile, the parties shall maintain status quo, as of today. However, the Bangalore Society with its present office bearers shall continue day-to-day management of the Society but would not take nay major and policy decision created liabilities of any kind from the Bangalore Society.

-4-

the However, we express a pious hope that

learned counsel appearing for the respective parties

of shall find some time and examine the possibility  
amicably resolving the issues involved in the present  
matter. We would also expect that the differen  
t sections of this august institution would a  
void unnecessary litigation and the office bearers of both  
the societies shall fully cooperate in this behalf.

[SUMAN WADHWA]  
COURT MASTER

[INDU SATIJA]  
COURT MASTER