

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 (C) No(s). 5767/2026

[Arising out of impugned final judgment and order dated 15-09-2025 in FA No. 123/2015 passed by the High Court of Judicature at Bombay at Goa]

SHRI SAHAJANAND INVESTMENT PRIVATE LIMITED

Petitioner(s)

VERSUS

M/S. LANDSCAPE DEVELOPERS & ORS.

Respondent(s)

(FOR ADMISSION)

Date : 16-02-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KAROL

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) : Mr. Shivraj Gaonkar, AOR

For Respondent(s) :

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

1. Learned counsel for the petitioner submits that the Draft Agreement dated 05.01.2000 itself stipulated a performance period of sixteen months, which was to expire in January, 2004. The legal notice seeking compliance with the terms of the contractual obligations was issued on 12.10.2004, and when the respondents failed, the petitioner instituted the suit on 08.06.2006. As such, the Courts below erred in allowing the respondents' application under Order VII Rule 11 of the CPC.
2. Issue notice, returnable on 01.04.2026.

3. Dasti service, in addition, is permitted. Let steps for service be taken within one week.

4. In the notice itself, let it be mentioned that respondents are required to file their counter affidavit and reply to the interlocutory application(s), if any, before the next date of listing.

(RAJNI MUKHI)
ASTT. REGISTRAR-cum-PS

(ANU BHALLA)
COURT MASTER (NSH)