

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).9526 OF 2004

(From the judgement and order dated 27/11/2003 in FAO No. 364/2003 of
f HIGH

COURT OF DELHI AT N. DELHI)

INDER SINGH OBEROI

Petitioner(s)

VERSUS

M/S NEWTECH ESTATES & INDUS. PVT.LTD&ORS

Respondent(s)

(With prayer for interim relief)

Date: 11/02/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner(s)

Mr. H.S. Phoolka, Sr.Adv.

Mr. Sudhir Nandrajog,Adv.

For Respondent(s) Mr.Sanjeev Kumar Kakkar, Adv.

Mr.K.S. Pathania, Adv.

R1&2 Mr. K.V.Mohan,Adv.

R-3 Mr.Vishnu B.Saharya, Adv.

For M/S. Saharya & Co. ,Adv.

Mr. Suresh Chandra Tripathy ,Adv

UPON hearing counsel the Court made the following

O R D E R

We have heard counsel for the parties.

Counsel for respondents 1 and 2 states that respondent company has since

sold the premises and is no more the owner thereof. We are not inclined to interfere

because we are not told that the premises in question is being used for any purposes

other than residential. Moreover, the High Court has observed that if the premises is

used for any purpose other than residential causing any nuisance to the petitioner, he

has a right to move the court. We further clarify that in case the premises is put to any

illegal use, the disposal of the SLP will not prevent the petitioner from seeking

appropriate remedy before the appropriate forum in accordance with law.

The special leave petition is dismissed with the above observations.

(Sheetal Dhingra)

Court Master

(Asha Joshi)

Assistant Registrar