

ITEM NO.8

COURT NO.11

SECTION IX

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).8944/2010

(From the judgement and order dated 25/01/2010 in
& CA No. 4871/2008 of The HIGH COURT OF BOMBAY)

FA No. 2185/2005

KALPATARU (INDO SAIGAON) CON. PVT. LTD.

Petitioner(s)

VERSUS

BHAGWAN L. AHUJA AND ORS.

Respondent(s)

(With prayer for interim relief)

Date: 12/07/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. R.F. Nariman, Sr.Adv.
 Ms. Indu Malhotra, Sr.Adv.
 Mr. Vikas Mehta, Adv.
 Mr. Robin Jaisinghania, Adv.
 Mr. Sanju Ahooja, Adv.
 Mr. Rohit Bhat, Adv.
 Ms. Prerna Priyadarshini, Adv.

For Respondent(s) Ms. Rohini Musa, Adv.
 Mr. Zafar Inayat, Adv.
 For Ms. Binu Tamta, Adv.

 Mr. Vishwajit Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

We have perused letter dated 15.6.2010 of
Shri N.S. Borase, Judge, Third Labour Court, Mumbai.

We strongly disapprove the casual manner in
which the officer avoided compliance of the direction

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given by this Court. He should submit an explanation to
this Court within a period of three weeks as to why he
did not comply with this Court's order.

In the meanwhile, new officer, who has taken
over as Chief Metropolitan Magistrate, Mumbai and who,
according to the learned counsel for the petitioner,
has also inspected the site in the month of June, is
directed to submit report within next three weeks.

The case be listed after four weeks for
perusal of the report of the Chief Metropolitan
Magistrate.

The Registry is directed to send copies of
this order to Shri N.S. Borase, Judge, Third Labour
Court, Mumbai and Chief Metropolitan Magistrate, Mumbai
by fax. We further direct the registry that as soon as
the report is received from Chief Metropolitan
Magistrate, Mumbai, copies thereof be made available to

the learned counsel for the parties.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master