îITEM NO. 51 COURT NO.5 SECTION III

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).8474/2010
(From the judgement and order dated 02/03/2010 in WP No.
1610/2010 of The HIGH COURT OF BOMBAY)

M/S AGARWAL WINES Petitioner(s)

VERSUS

MUN.CORP.CITY OF PIMPRI CHINCHWAD & ORS. Respondent(s)
(With appln(s) for exemption from filing O.T. and prayer for
interim relief and office report)

Date: 06/12/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s) Mr. Uday U Lalit, Sr. Adv.
Mr. Vinay Navare, Adv.
Mr. Keshav Ranjan, Adv.
Ms. Abha R. Sharma,Adv.

For Respondent(s) Mr. V.A. Mohta, Sr. Adv.
Mr. Nilkanta Nayak, Adv.
Mr. V.N. Raghupathy,Adv.

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

Admittedly, ad-interim order passed by this Court on 18th March, 2010, has been complied with as it is stated that the demand towards the octroi fee has been paid.

It is pointed out by learned senior counsel appearing for the Corporation that the Corporation has not yet entered appearance before the High Court in the main writ petition, where 'rule' has already been issued. Learned counsel submits that the Corporation may be permitted to contest the application filed by

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the petitioner for interim relief before the High Court.

Having regard to the fact that the present special leave petition is directed only against an ad-interim order passed by the High Court, it is always open to the Corporation to enter appearance in the main matter and contest the application on merits, which is stated to be pending. We accordingly direct that as and when the Corporation enters appearance, the High Court will deal with the application for interim relief on its own merits, uninfluenced by the ad-interim relief granted by this Court. However, interim order dated 18th March, 2010 shall continue to be in force till the disposal of the application for interim relief.

The special leave petition is disposed of in the

above terms.

[Charanjeet Kaur]
Court Master

[Kusum Gulati]
Court Master