

SLP(C)NO.10946/2013

ITEM NO.11

COURT NO.9

SECTION XIIA

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). 10946/2013

(Arising out of impugned final judgment and order dated 27/12/2012 in WA No. 479/2010 passed by the High Court of A.P. at Hyderabad)

WATERMARKE ESTATES PVT. LTD.

Petitioner(s)

VERSUS

HYDERABAD METROPOLITAN DEV. AUTHORITY&ANR

Respondent(s)

(With appln(s) to bring on record subsequent event, permission to file synopsis and list of dates, amendment of cause title, intervention and interim relief and office report)

WITH S.L.P.(C)...CC No. 10232/2013

(With appln.(s) for permission to file additional documents and appln.(s) for c/delay in filing SLP and Office Report)

SLP(C) No. 10944/2013

(With appln.(s) for amendment of cause title and bring on record subsequent event and permission to file synopsis and list of dates and Interim Relief and Office Report)

SLP(C) Nos. 11043-11044/2013

(With appln.(s) for amendment of cause title and Interim Relief and Office Report)

SLP(C) No. 11048/2013

(With appln.(s) for permission to file lengthy list of dates and appln.(s) for permission to bring additional facts and documents on record and Interim Relief and Office Report)

SLP(C) No. 11051/2013

(With appln.(s) for amendment of the petition, permission to file lengthy list of dates and appln.(s) for permission to place addl. documents on record and Interim Relief and Office Report)

SLP(C) No. 11145-11146/2013

(With appln.(s) for amendment of cause title and Interim Relief and Office Report)

SLP(C) No. 12134/2013

(With appln.(s) for permission to file lengthy list of dates and appln.(s) for permission to bring on record subsequent facts and documents and Interim Relief and Office Report)

SLP(C)NO.10946/2013

SLP(C) No. 12900/2013
(With appln.(s) for directions and appln.(s) for permission to place addl. documents on record and Interim Relief and Office Report)

SLP(C) No. 15628/2013
(Interim Relief and Office Report)

SLP(C) No. 19156-19158/2013
(With appln.(s) for permission to file additional documents and appln.(s) for impleadment and Interim Relief and Office Report)

SLP(C) No. 27299-27301/2013
(With appln.(s) for impleadment and Office Report)

SLP(C) No. 27434/2013
(With Office Report)

SLP(C) No. 27561-27563/2013
(With appln.(s) for impleadment and Office Report)

SLP(C) No. 38018-38020/2013
(With appln.(s) for impleadment and Office Report)

SLP(C) No. 38022-38024/2013
(With appln.(s) for impleadment as petitioner and Office Report)

SLP(C) No. 38025/2013
(With appln.(s) for impleadment and Office Report)

SLP(C) No. 9996-10001/2015
(With (appln.(s) for directions and appln.(s) for substitution and appln.(s) for c/delay in filing substitution appln. and Office Report)

S.L.P.(C)...CC No. 1639/2016
(With appln.(s) for permission to file SLP and Office Report)

SLP(C) No. 18755-18756/2013
(With appln.(s) for vacation of status quo and appln.(s) for permission to appear and argue in person and Interim Relief and Office Report)

S.L.P.(C)...CC No. 1132/2016
(With appln.(s) for c/delay in filing SLP and Office Report)

SLP(C) No. 1298/2015
(With appln.(s) for c/delay in filing SLP and Interim Relief and Office Report)

Date : 22/11/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Mr. T. Srinivasa Murthy, Adv.
Mr. Senthil Jagadeesan, Av.
Ms. Shruti Iyer, Adv.

Mr. Ansar Ahmad Chaudhary, Adv.

Mr. T. Srinivasa Murthy, Adv.
Ms. Neha Sharma, Adv.
Mr. Deeptakirti Verma, Adv.

Mr. S Hari Haran, Adv.
Mr. Vikash Singh, Adv.

Mr. Gaurav Pachnanda, Sr. Adv.
Mr. Prashant Mishra, Adv.
Ms. J. Joy, Adv.
Ms. Hancy, Adv.
Ms. Parul Kumar, Adv.
Mr. Shalin A., Adv.
Mr. Abhay Kumar, Adv.

Mr. Vadivelu Deenadayalan, Adv.

Mr. S. Guru Krishna Kumar, Sr. Adv.
Mr. Prashanth M., Adv.
Ms. Sneha R. Iyer, Adv.
Mr. Mohan Raj, Adv.
Mr. S. R. Setia, Adv.

Mr. Sanjoy Ghose, Adv.
Mr. Gautam Naryan, Adv.
Mr. Kaustubh A., Adv.

Mr. Annam D. N. Rao, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Sudipto Sircar, Adv.
Mr. Abhinav Goyal, Adv.
Mr. Rahul Mishra, Adv.
Mr. Kushank Sindhu, Adv.

Mr. P.P. Rao, Sr. Adv.
Mr. V. Sridhar Reddy, Adv.
Mr. Swarnendu Chatterji, Adv.
Mr. M.P. Srivignesh, Adv.
Ms. Ananya Sarkar, Adv.
Mr. V. N. Raghupathy, Adv.

Mr. Shakil Ahmed Syed, Adv.
 Mr. Mohd. Parvez Dabas, Adv.
 Mr. Uzmi Jameel Husain, Adv.
 Mr. Milan Laskar, Adv.

Petitioner-in-person

Mr. Venkateswara Rao Anumolu, Adv.
 Mr. Prabhakar Parnam, Adv.
 Mr. Ravi Shankar Jandhiyala, Adv.

Mr. Vijay Kumar, Adv.
 Mr. Thomas Oommen, Adv.
 Mr. Aniruddha P. Mayee, Adv.

For Respondent(s)

Mr. Mukul Rohtagi, AG
 Mr. V. Giri, Sr. Adv.
 Mr. K. Ramakrishna Reddi, Adv.
 Mr. T. V. Ratnam, Adv.

Mr. Y. Raja Gopala Rao, Adv.

M/s. Venkat Palwai Law Associates, Adv.

Mr. S. Udaya Kumar Sagar, Adv.
 Mr. Baskula Athik, Adv.

Mr. P. N. Puri, Adv.

Ms. Manju Jetley, Adv.

Mr. Guntur Prabhakar, Adv.

Mr. Sunder Khatri, Adv.
 Mr. K.V. Satyanarayana, Adv.
 Shital Khatri, Adv.
 Mr. Abhijit Sengupta, Adv.

Mr. D. Mahesh Babu, Adv.

Mr. G.N. Reddy, Adv.

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

Mr. K.S.B. Ali, who is petitioner in SLP(C)Nos.18755-18756 of 2013 submits that these matters were listed before a Bench presided over by Hon'ble Mr. Justice Pinaki Chandra Ghosh. The matter were, however, partly heard by that Court on 29.01.2016. The order dated

29.01.2016 reads as follows:

"In view of letter circulated by the learned counsel for the petitioner seeking four weeks' time to file reply to the application for vacation of status-quo filed by the respondents, the Interlocutory Applications are adjourned for four weeks for the purpose."

From the aforesaid order, it is abundantly clear that the matter was not heard by the said Bench. Record also reveals that after 29.01.2016, the matter came up before the Bench presided over by the Hon'ble Mr. Justice Madan B. Lokur, on 08.02.2016 and the following order was passed on that date:

"List the matters before a Bench in which one of us (Madan B. Lokur, J.) is not a member."

In view of the aforesaid order, the matter was listed before this Bench on 22.02.2016. Ever since from the said date, the matter has been coming up before this Bench. In these circumstances, the plea of Mr. Ali that it is a partly heard matter by the Bench presided over by the Hon'ble Mr. Justice Pinaki Chandra Ghosh, does not appear to be correct. All the other counsel appearing in these matters have supported the aforesaid observations made by us.

Mr. Ali has referred to order dated 17.11.2016 which is passed by the Bench presided over by the Hon'ble Mr. Justice Pinaki Chandra Ghosh wherein it is ordered that this matter be listed in the month of January, 2017. He contends that the matter was not listed in the cause list on that date i.e. on 17.11.2016 but in earlier matter the aforesaid order was passed. The Bench was not having file of the case and on the submission made by Mr. Ali, the order was passed.

Be that as it may, having regard to the order dated

17.11.2016 by the said Bench, we are of the opinion that the matter be placed before Hon'ble the Chief Justice of India for appropriate orders as to whether the matter has to be heard by this Bench or the Bench presided over by Hon'ble Mr. Justice Pinaki Chandra Ghosh.

Mr. Ali says that some date in January, 2017 be given as he is yet to prepare his case. The matter, therefore, shall be listed in the month of January, 2017 before a Bench in respect of which orders are to be passed by Hon'ble the Chief Justice of India.

(SAPNA BISHT)
SR. P.A.

(MALA KUMARI SHARMA)
COURT MASTER