

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).14879/2013

(From the judgement and order dated 14/02/2013 in FAO No.322/2010 of The HIGH COURT OF DELHI AT N. DELHI)

B.S. OBEROI. Petitioner(s)

VERSUS

P.S. OBEROI & ORS. Respondent(s)

(With prayer for interim relief and office report)

Date: 09/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s) Mr. P.S. Narashimha, Sr. Adv.
 Mr. Manish Kumar, Adv.
 Ms. Divya Roy, Adv.
 Mr. Amit Kumar, Adv.
 Ms. Nalini Singh, Adv.
 Mr. Piyush Kaushik, Adv.

For Respondent(s) Mr. H.S. Phoolka, Sr. Adv.
 Mr. Jagjit Singh Chhabra, Adv.
 Mr. Gursimranjit Singh, Adv.
 Mr. Sharat Kapoor, Adv.

 Mr. K.V. Vishwanathan, Sr. Adv.
 Mr. Bishwajit Dubey, Adv.
 Mr. Tamal Mandal, Adv.

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

Having failed to persuade the learned Single Judge and the Division Bench of the Delhi High Court to entertain his prayer for grant of injunction against alienation of the suit property, the petitioner has invoked the jurisdiction of this Court under Article 136 of the Constitution.

We have heard learned senior counsel for the petitioner and perused the record.

In our considered view, the reasons assigned by the High Court for declining the petitioner's prayer for injunction are legally correct and the order under challenge does not call for interference under Article 136 of the Constitution.

The view which we have taken is in consonance with the law laid down by this Court in Wander Limited and another v. Antox India Private Limited (1990) Suppl. SCC 727, N.R.Dongre and others v. Whirlpool Corporation and another (1996) 5 SCC 714 and Skyline Education Institute (India) Private Limited v. S.L.Vaswani and another (2010) 2 SCC 142.

The special leave petition is accordingly dismissed.

While dismissing the special leave petition, we make it clear that the observations made in the impugned order are purely

tentative and shall not influence final adjudication of the matter.
It is also made clear that any alienation made by the respondents shall remain subject to final adjudication of the main matter.

| (Parveen Kr.Chawla)
| Court Master
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| | (Phoolan Wati Arora)
| | Court Master
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