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SLP(C)No. 8146 OF 2003  
ITEM No.33

Court No. 9

SECTION IX  
A/N MATTER

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.8146/2003

(From the judgement and order dated 10/04/2003 in CWP 373/03  
of The HIGH COURT OF JUDICATURE AT BOMBAY)

ASHOK KUMAR KHETAN & ORS.

Petitioner (s)

VERSUS

BRIHAN MUMBAI MUNICIPAL CORPORATION &ORS

Respondent (s)

(With prayer for interim relief)

( With Appln(s). for exemption from filing c/c of the impugned Judgment )

Date : 8/1/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE BRIJESH KUMAR  
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s) Mr. Ranjit Kumar, Sr. Adv.  
Mr. S. Guru Krishana Kumar, Adv.  
Mr. L.C. Tolat, Adv.  
Mr. S.R. Setia, Adv.  
Ms. Binu Tamta, Adv.

For Respondent (s) Mr. K.B. Rohtagi, Adv.  
Ms. Aparna Rohtagi Jain, Adv.  
Mr. Mahesh Kasana, Adv.  
  
Mr. P. Chidambaram, Sr. Adv.  
Mr. Parimal K. Shroff, Adv.  
Mrs. Vanita Bhargava, Adv.  
Ms. Bina Gupta, Adv.  
Ms. Nina Gupta, Adv.  
  
Mr. Pallav Shishodia, Adv.  
Mr. D.N. Mishra, Adv.

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

Having heard the learned counsel appearing for different parties, we finally dispose of the special leave petition as agreed in the following terms:

...2/-

:2:

That the work of laying the water pipe line from BMC (Main) water tank up to the Plot J-I where it is stated, the school building is standing and the school is being run, shall be executed through an independent agency. The petitioners shall provide names of three agencies through whom the work can be executed and one of them would be selected by respondent No. 5. Whatever expenditure is incurred in executing the work the same shall be borne by the petitioners. It is indicated that some of the work has already been got done by respondent No. 5, in that event right of respondent No. 5 is preserved for apportionment and claim that part of costs.

It is made clear that for execution of the work in the manner indicated, Bombay Municipal Corporation would not insist for any NOC from respondent No. 5 as also averred in their affidavit filed in this Court.

The special leave petition stands finally disposed of.

(Sarojbala)  
PA to Addl.Registrar

(Promila Nagpal)  
Court Master