

o

SLP(C)No. 9588 OF 2003  
ITEM No.207

Court No. 1

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.9588/2003  
(From the judgement and order dated 25/11/2002 in WP 5624/86  
of The HIGH COURT OF BOMBAY)

HARISHMATI NANDLAL JOSHI & ORS.

Petitioner (s)

VERSUS

YAMUNABAI S. PINGALE (D) BY LRS. & ORS.

Respondent (s)

(With prayer for interim relief)( With Appln(s). for c/delay in filing SLP and c/delay in filing rejoinder)( For Final Disposal )

Date : 24/09/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE G.P. MATHUR  
HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner (s)Mr. Subrat Birla, Adv.  
Mr. S.C. Birla,Adv.

For Respondent (s)Mr. V N Ganpule, Sr. Adv.  
Mr. Shivaji M. Jadhav,Adv.

Mr. Himanshu Gupta, Adv.  
Mr. Brij Kishor Sah, Adv.

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

Vide para 21 of the judgment of the first appellate court (Annexure P-9), at pages 138 & 168 of the paperbook, there is a reference to the order of the trial court passed under sub-section (3) of Section 12 of the Bombay Rents Hotel and Lodging House Rates Control Act. The contents of the order would be relevant for the purpose of deciding this matter. The learned counsel for the landlord-respondent undertakes to make available the same in four weeks.

List after the order is filed on record.

In the meantime, also send for the records of the trial court and the first appellate court.

On an oral prayer made by the learned counsel for the petitioners, it is directed that the amount of arrears accruing due during the pendency of these proceedings shall be deposited in the trial court.

(D.P. WALIA)  
COURT MASTER

(VIJAY DHAWAN)  
COURT MASTER