

## 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)...../2006

CC 3216/2006

(From the judgement and order dated 23/06/1995 in RP No. 27/1995 & WP No. 1735/1986 of The HIGH COURT OF BOMBAY)

STATE OF MAHRASHTRA & ORS.

Petitioner(s)

VERSUS

DATTATRAYA N. KHANDKE & ANR.

Respondent(s)

With I.A.1(C/Delay in filing SLP)

Date: 24/04/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Mr. V.N. Raghupathy, Adv.

For Respondent(s)

Mr. R.K. Kapoor, Adv.

Mr. Sumit Kumar Khatri, Adv.

Mr. Anis Ahmed Khan, Adv.

UPON hearing counsel the Court made the following

O R D E R

We are prima-facie satisfied that the conduct of the petitioner-State is wholly deplorable. It

had by reason of filing more than one review application had successfully stalled a citizen's claim to

recover the requisitioned property on taking pleas, which are ex-facie are not sustainable. When a

query was made to the learned counsel for the State to reply as to why an exemplary cost shall not be

imposed upon the State and why a direction shall not be issued to deliver possession of the property in

question to the respondents immediately, learned counsel states that he shall seek instructions. Put up

on 1.5.2006.

(Meenu Sethi)  
rdwaj)

Court Master

(Pushap Lata Bha

Court Master