

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

IA 1-2/2009 in
Petition(s) for Special Leave to Appeal (Civil) No(s).8723/2009

(From the judgement and order dated 13/03/2009 in WA No. 529/2009 of The
HIGH COURT OF KERALA AT ERNAKULAM)

J & S CONSTRUCTION & ORS.

Petitioner(s)

VERSUS

M.D.,KERALA TRANSPT.DEV.FIN.CORP.LD.&ORS

Respondent(s)

(With appln(s) for stay)

Date: 11/05/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. P.S.Patwalia, Sr. Adv.
Mr. Deepak Prakash, Adv.
Mr. Biju Raman, Adv.
Ms. Usha Nandini, Adv.
Mr. Jogy Scaria, Adv.

For Respondent(s) Mr. G.E.Vahanvati, SGI.
No.1 Mr. D.A.Dave, Sr. Adv.
Mr. Haris Beeran, Adv.
Mr. Radha Shyam Jena, Adv.

For R.3 Mr. R.F.Nariman, Sr. Adv.
Dr. Kailashnath Pillay, Adv.
Mr. Santosh Kumar, Adv.
Mr. Chandrasekaran, Adv.
Mr. A.Vinayogam Balan, Adv.

UPON hearing counsel the Court made the following
ORDER

Put up after ten days before the Vacation Bench for final
disposal of the main matter.

Having heard learned counsel for the parties at some length

one week is granted for filing counter affidavit. Rejoinder, if any,
may be filed within two days thereafter.

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In the meantime statements made by learned Solicitor
General as also of Mr. R.F.Nariman and Mr. Dave, learned senior
counsel, we direct that the work at the site is going on, may
continue but the respondent shall not start work at any other place
nor the main building shall be demolished, if not already

demolished.

Respondent may carry on the said work at the present site at their own risk and cost and subject to the final result of the case.

I.A.No.1 is disposed of accordingly.

[SUMAN WADHWA]
COURT MASTER

[PUSHAP LATA BHARADWAJ]
COURT MASTER