

ITEM NO.6

COURT NO.5

REVISED
SECTION IVA

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

I.A. 870-871 in C.A. no. 3775/2004 & 3942/2004 & IA No. 872-873/2016 in Civil Appeal No(s). 3793/2004 & 3928/2004

BANGALORE DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

R.JAYAKUMAR & ORS.

Respondent(s)

(for directions and office report)

[C.A. No. 3628-3960/2004]

Date : 29/06/2016 These applications were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Appellant(s) Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, Adv.

For Respondent(s) Mr. Bharat Sangal, Adv.

Mr. E. C. Vidya Sagar, Adv.
Ms. Jennifer John, Adv.
Mr. Subhash Chandra Sagar, Adv.
Mr. Gautam Narayan, Adv.
Mr. R.A. Iyer, Adv.
Mr. Nikhil Nayyar, Adv.

Mr. P. R. Ramasesh, Adv.
Mr. Azeem Kalebudde, Adv.

Mrs. K. Sarada Devi, Adv.

Mr. S. N. Bhat, Adv.

Mrs. Vaijyanthi Girish, Adv.

Mr. Anand Sanjay M. Nuli, Adv.
Mr. Anupam, Adv.
M/s. Nuli & Nuli, Adv.

UPON hearing the counsel the Court made the following

O R D E R

IA No. 870-871 of 2016 in Civil Appeal No. 3775/2004 and Civil Appeal No. 3942/2004

IA no. 870-871/2016 has been filed with the prayer as follows:-

It is therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- a) Allow this application;
- b) Pass an order permitting the respondent/allottee/applicant herein, to withdraw writ petition no. 22039/1998 filed by Manjunatha M.;
- c) Direct Bangalore Development Authority/Appellant to execute the sale deed in favour of the applicant incorporating the revised sital value as per their enhancement within four weeks after accepting the enhanced site price; and
- d) To pass such other order/orders as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

Accepting the reasons given in the application, we permit the respondent/applicant to withdraw writ petition no. 22039/1998 on the file of High Court of Karnataka from out of which the instant appeals arise. Accordingly, the Writ Petition No. 22039/1998 on the file of High Court of Karnataka is dismissed as withdrawn.

As a consequence, nothing survives in the civil appeals. Civil Appeal no. 3775/2004 & Civil Appeal No. 3942/2004 are accordingly dismissed.

I.A. no. 872-873 of 2016 in Civil Appeal Nos. 3793 & 3928 of 2004

In view of the dismissal of Civil Appeal No. 3775/2004 and Civil Appeal No. 3942/2004 above, nothing survives in these appeals.

As a consequence, Civil Appeal Nos. 3793/2004 and Civil Appeal No. 3928/2004 are dismissed.

Pending applications, if any, stand disposed of.

(DEEPAK MANSUKHANI)
COURT MASTER

(RAJINDER KAUR)
COURT MASTER

(Signed order is placed on the file)

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d) To pass such other order/orders as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

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As a consequence, nothing survives in the civil appeals. Civil Appeal no. 3775/2004 & Civil Appeal No. 3942/2004 are accordingly dismissed.

I.A. no. 872-873 of 2016 in Civil Appeal Nos. 3793 & 3928 of 2004

In view of the dismissal of Civil Appeal No. 3775/2004 and Civil Appeal No. 3942/2004 above, nothing survives in these appeals.

As a consequence, Civil Appeal Nos. 3793/2094 and Civil Appeal No. 3928/2004 are dismissed.

Pending applications, if any, stand disposed of.

(DEEPAK MANSUKHANI)
COURT MASTER

(RAJINDER KAUR)
COURT MASTER

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. 870-871/2016

In

Civil Appeal nos. 3775/2004 & 3942/2004

and

IA No. 872-873/2016

In

Civil Appeal nos. 3793/2004 & 3928/2004

BANGALORE DEVELOPMENT AUTHORITY

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.....J.
(J. CHELAMESWAR)

.....J.
(ABHAY MANOHAR SAPRE)

NEW DELHI
JUNE 29, 2016.