

ITEM NO.6

Virtual Court 4

SECTION IX

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 10584/2020

(Arising out of impugned final judgment and order dated 24-07-2019 in CAST No. 19176/2019 passed by the High Court Of Judicature At Bombay)

RAKHEE SACHDEV & ORS.

Petitioner(s)

VERSUS

CLOVER DEVELOPERS PRIVATE LIMITED & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.57297/2020-CONDONATION OF DELAY IN FILING and IA No.57298/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.57299/2020-PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 20-07-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. Siddhartha Dave, Sr. Adv.
Mr. Kunal Cheema, AOR
Mr. Lalit K. Jhunjunwala, Adv.

For Respondent(s)

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

Delay condoned.

Having heard Mr. Siddhartha Dave, learned Senior Advocate appearing on behalf of the petitioners, we are of the view that the High Court has safeguarded the petitioners by stating that further construction would be at the risk of the defendants and subject to the outcome of the Suit. We also make it clear that the builder will, within three days from today, advertise in two leading newspapers - one in the English language as well as one in the vernacular language, the fact that the order dated 24.07.2019 makes

it clear that further construction is at the risk of the builder and that any third party rights created by the builder will also therefore to be subject to the outcome of the Suit. The Suit itself to be disposed of within nine months from today.

The Special Leave Petition stands disposed of.

Pending applications also stand disposed of.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
BRANCH OFFICER