

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).11647/2008

(From the judgement and order dated 15/02/2008 in
5892/2007 of The HIGH COURT OF BOMBAY)

FA No. 2667/2007 & CA No.

LILAVATI KIRTILAL MEHTA MED.TRUST & ANR.

Petitioner(s)

VERSUS

CHARU KISHOR MEHTA & ORS.

Respondent(s)

(With appln(s) for permission to file lengthy list of dates and prayer for interim relief and
office report)

WITH
I.A.NO.5 IN C.A.NO.1575/2007

WITH S.L.P.(C)...CC NO. 9451 of 2008
(With prayer for interim relief and office report)

Date: 14/07/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE P. SATHASIVAM

For appearing parties : Mr. Fali S. Nariman, Sr. Adv.
Mr. K.K. Venugopal, Sr. Adv.
Mr. Akhil Sibal, Adv.
Mr. Ajay Bhargava, Adv.
Ms. Vanita Bhargava, Adv.
Mr. Nupur Mukherjee, Adv.
M/S. Khaitan & Co.,Adv

Dr. Monika Gusain, Adv.
Mr. Hari Om Vaduvanshi, Adv.

Mr. Arun Jaitley, Sr. Adv.
Mr. Ranjeet Kumar, Adv.
M/s. Parekh & Co.,Adv.
Mr. C.A. Sundram, Sr. Adv.
Mr. Guru Krishna Kumar, Adv.
Mr. Hemant Sharma, Adv.
Mr. Ajay Kumar, Adv.
Mr. Prashant V.G. Adv.

Mr. Parvin Samdani, Sr. Adv.
Mr. Kunal Bajani, Adv.
Mr. Anjan Chakarborty, Adv.
Mr. Shantanu Bhowmick, Adv.
Mr. K.S. Prasad, Adv.

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Mr. R.Mohan, ASG
Mr. Asha G. Nair, Adv.
Mr. Ashok Bhan, Adv.

Capt. Karan Singh Bhuti, Adv.
Ms. Aishwarya Bhuti, Adv.
Mr. Abhishek Goutam, Adv.
Ms. Rekha Giri, Adv.

Mr. Manjit Singh, Adv.

Mr. Sandeep Singh, Adv.
Mr. Shrish Mishra, Adv.

Mr. Ajay Kumar, Adv.

Dr. A.M. Singhvi, Sr. Adv.
Mr. A.V. Rangam, Adv.
Mr. Pramod B. Agarwala, Adv.

Ms. Praveena Gautam, Adv.

UPON hearing counsel the Court made the following
ORDER

Permission granted in SLP (Civil) 11647/2008.

This SLP has been filed against a dispute between the members of Directors of Board of the Leelavati Hospital in Bombay. The first respondent herein filed a suit before the Bombay City Civil Court. During the pendency of the suit, the matter was brought before this Court and after hearing parties, Joint Administrators were appointed and certain other directions were also issued by this Court for smooth functioning of the Lilavati Hospital. The suit has already been dismissed and the aggrieved plaintiff has filed First Appeal No.2667 of 2007 before the High Court, Bombay and that appeal is pending. Pending disposal of the appeal Civil Application 5892 of 2007 was filed for certain interim orders including removal of the administrators and the High Court after hearing the parties, ordered that the administrators may continue for the time being. This part of the order is challenged before us.

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We have heard the counsel for the petitioners as well as counsel for the respondent. As it is an interim discretionary order passed by the High Court, we are not proposing to interfere with the same but the counsel for the petitioner points out that as per the reports submitted by one of the administrators there are serious irregularities in the matter of administration. The parties on either side are at liberty to bring it to the notice of the High Court regarding these developments and take appropriate steps for redressal of the grievance and the High Court will be at liberty to pass appropriate orders in this matter. We clarify that in passing appropriate orders,

the High Court need not be carried away because the administrators were appointed by this Court and the High Court may be at liberty to pass appropriate orders considering the claim of all the parties concerned.

We also request the High Court for disposal of the main appeal as early as possible not later than six months.

The SLPs and IAs are disposed of accordingly.

(Sukhwinder)
Sr.P.A.

(VEERA VERMA)
Court Master