

ITEM NO.23

COURT NO.5

SECTION IV-B

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). 13250/2026

[Arising out of impugned final judgment and order dated 11-11-2025 in RSA No. 318/1993 passed by the High Court of Punjab & Haryana at Chandigarh]

MEGHA EKTA HOUSING PRIVATE LIMITED

Petitioner(s)

VERSUS

MAHENDER & ORS.

Respondent(s)

FOR ADMISSION and I.R.

IA No. 90059/2026 - CLARIFICATION/DIRECTION

IA No. 90061/2026 - CONDONATION OF DELAY IN FILING

IA No. 90060/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 90058/2026 - EXEMPTION FROM FILING O.T.

IA No. 90053/2026 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES, IA No. 90057/2026 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Date : 04-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Mr. Shubham Janghu, Adv.
Mr. Gopal Singh, AOR

For Respondent(s) Dr. Mansi Jain, Adv.
Mr. Raghav Sabharwal, AOR

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

Permission to file the Special Leave Petitions is granted.

Applications for exemption from filing certified copy of the impugned judgment, for permission to file additional documents/facts/annexures and for exemption from filing official translation are allowed.

Delay condoned.

The issue for consideration is as to the effect of Section 15(2) of the Punjab Pre-emption Act, 1913 (for short, the Act) which has been struck down by this Court qua the right of pre-emption.

It is submitted by the learned Senior counsel appearing for the petitioner that on the date of the sale, Section 15(2) of the Act was in the Statute, and though the striking down of the provision will have retrospective effect, a right which has accrued by that time shall not be taken away especially when it was rightly exercised in accordance with the prevailing law.

Issue notice.

Mr. Raghav Sabharwal, learned AOR accepts notice on behalf of the respondent. Let the counter affidavit be filed within a period of four weeks. Rejoinder affidavit, if any, shall be filed within a period of two weeks thereafter.

Tag with SLP(C) No.15871/2026.

In the meantime, status quo, existing as on today, shall be maintained by the parties.

(SWETA BALODI)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
ASSISTANT REGISTRAR