

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A.NOS.31-33, 49-51 & 52-54

IN

CONMT.PET.(C)NOS.237-239 OF 2000

IN

CIVIL APPEAL NOS.5623-5625 OF 1985

MUNICIPAL CORPORATION OF GREATER BOMBAY

.....PETITIONER

VERSUS

PARAG CONSTRUCTION & PARTNERS

.....RESPONDENTS

O R D E R

By an order dated 31.10.2002, this Court disposed of Contempt Petition (C) Nos.237-239. That order reads as under:

"This case has had a chequered history. The acquisition for construction of a bus station at the instance of the Municipal Corporation of Greater Bombay (for short 'the Corporation') was quashed by the Bombay High Court. The Corporation came up in appeal and during the pendency of the appeals a compromise was arrived at. When compromise was not implemented, the order recording the compromise was recalled and the appeals were heard on merits. A judgment was dictated in Court on 4.12.2001 but it was not signed because the parties submitted that fresh attempts were being made to bring about a compromise.

Now an application under Order XXIII Rule 3 of CPC read with Order 47 Rule 6 of Supreme Court Rules, 1966 has been filed. Amended Consent Terms dated 23.10.2002 have been placed on record along with the undertaking on behalf of M/s Parag Construction to the effect that it agrees to abide each and every term of the conditions to the consent terms. All the parties consented to the recording of compromise. We accordingly allow this application and dispose of the matter in terms of the original consent terms arrived at in the year 1991 and the subsequent consent terms arrived at on 11.12.2001 as modified by the amended consent terms dated 23.10.2002 with modification made in paragraph 8 of the application having been incorporated and in accordance with the undertaking dated 25.10.2002 by M/s Parag Construction. The decree to be drawn in consent terms arrived. The application as well as the amended consent terms of undertaking shall form part of the decree. The contempt petitions stand disposed of accordingly. The notice of contempt is discharged. The earlier judgment dictated on 4.12.2001 is recalled."

Thereafter, several interlocutory applications were filed by the parties, which have been adjourned from time to time.

We have heard learned counsel for the parties and perused the record.

All the pending I.As are disposed of with the direction that the respondent in the Contempt Petition (C) Nos.237-239 of 2000 shall make the bus stand operational on or before 01.05.2013 and, for this purpose,



(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master

( Signed order is placed on the file )