

CIVIL ORIGINAL JURISDICTION

I.A.NOS. 34-36 of 2009
 &
 I.A. NOS. 37-39 OF 2010
 &
 I.A. NOS. 46-48 OF 2012
 IN
 I.A. NOS. 31-33
 &
 I.A. NOS. 28-30 of 2004
 &
 I.A. NOS. 31-33 OF 2005
 IN
 CONTEMPT PETITION (C) NOS. 237-239 OF 2000
 IN
 CIVIL APPEAL NOS. 5623-5625 of 1985

MUNICIPAL CORPORATION OF GREATER BOMBAY ... PETITIONER(s)

Versus

PARAG CONSTITUTION & PARTNERS ... RESPONDENT(s)

O R D E R

I.A. Nos. 46-48 OF 2012:

I.A. Nos. 46-48 of 2012 are rejected.

With regard to prayer clause (b) in the above I.As,
 the applicants shall be at liberty to apply to the
 Commissioner of Police, Mumbai.

In case the applicants' grievance is not redressed by
 the Commission of Police, Mumbai, liberty is granted to the
 applicants to move this Court. It is made clear that
 liberty is confined only to prayer (b) of the applications.

I.A. Nos. 31-33 OF 2005:

As regards prayer clause (a), Mr. C.U. Singh, learned

senior counsel for the Municipal Corporation of Greater
 Mumbai submits that the commencement certificate has been
 issued to the applicant on October 19, 2010 upon its
 compliance of IOD dated September 27, 2002.

Prayer (a) of IAs, therefore, does not survive.

As regards prayer (b), list the matter after four
 weeks along with the Contempt Petition.

I.A. No. 34-36 of 2009

Mr. C.U. Singh, learned senior counsel for the
Municipal Corporation of Greater Mumbai submits that by
passage of time, nothing remains to be decided in these
applications.

I.A. Nos. 34-36 of 2009 are, accordingly, dismissed.

I.A. Nos 37-39 of 2010:

I.A Nos. 37-39 of 2010 for amendment of cause-title
are rejected.

I.A Nos. 28-30 of 2004:

No order needs to be passed in these I.As.

I.A Nos. 28-30 of 2004 stand disposed of accordingly.

.....J.
(R.M. LODHA)
.....J.
(H.L. GOKHALE)

NEW DELHI
APRIL 20, 2012.

ITEM NO.29

COURT NO.7

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CONTEMPT PETITION (C) NOS. 237-239 OF 2000 in
Civil Appeal Nos. 5623-5625/1985

WITH

I.A. Nos. 37-39 in I.A. Nos. 31-33 and I.A. Nos. 28-33
in Contempt Petition (C) Nos. 237-239/2000

And

I.A. Nos. 34-36 in I.A. Nos. 31-33 in Contempt Petition (C)
Nos. 237-239/2000 in C.A. Nos. 5623-5625/1985

And

I.A. Nos. 46-48 and 49-51 in Contempt Petition (C)
Nos. 237-239/2000 in C.A. Nos. 5623-5625/1985
[applications for directions]

MUNICIPAL CORPORATION OF GREATER BOMBAY

Petitioner(s)

VERSUS

PARAG CONSTRUCTION & PARTNERS

Respondent(s)

(for amendment of cause title and directions with office report)

Date: 20/04/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. C.U. Singh, Sr. Adv.
Mr. Praveen Jain, Adv.
Mr. T.S. Sidhu, Adv.
Ms. Pallavi Mohan, Adv.
Mr. Akshat Kulshrestha, Adv. for
M/S. M.V. Kini & Associates

For Respondent(s) Mr. Pallav Shishodia, Sr. Adv.
Mr Manoj K. Mishra, Adv.

Mr. Dinesh Kumar Garg, Adv.

Mr. R.N. Keshwani ,Adv
: 2 :

Mr. Ramesh Chandra Mishra ,Adv

Mr. Sunil Kumar Jain ,Adv

Mr. Vijendra Kumar, Adv.
Mr. Shaikh Chand Saheb, Adv.
Mr. Ashok K. Mahajan ,Adv

Mr. Sanjay Kharde, Adv. for
Ms. Asha Gopalan Nair ,Adv

Mr. Kamlendra Mishra ,Adv

Mr. Shyam Divan, Sr. Adv.
Mr. Ashok K. Mahajan, Adv.

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

I.A. Nos. 46-48 OF 2012:

I.A. Nos. 46-48 of 2012 are rejected.

With regard to prayer clause (b) in the above I.As,
the applicants shall be at liberty to apply to the
Commissioner of Police, Mumbai.

In case the applicants' grievance is not redressed by
the Commission of Police, Mumbai, liberty is granted to the
applicants to move this Court. It is made clear that
liberty is confined only to prayer (b) of the applications.

I.A. Nos. 31-33 OF 2005:

As regards prayer clause (a), Mr. C.U. Singh, learned senior counsel for the Municipal Corporation of Greater Mumbai submits that the commencement certificate has been issued to the applicant on October 19, 2010 upon its compliance of IOD dated September 27, 2002.

Prayer (a) of IAs, therefore, does not survive.

: 3 :

As regards prayer (b), list the matter after four weeks along with the Contempt Petition.

I.A. No. 34-36 of 2009

Mr. C.U. Singh, learned senior counsel for the Municipal Corporation of Greater Mumbai submits that by passage of time, nothing remains to be decided in these applications.

I.A. Nos. 34-36 of 2009 are, accordingly, dismissed.

I.A. Nos 37-39 of 2010:

I.A Nos. 37-39 of 2010 for amendment of cause-title are rejected.

I.A Nos. 28-30 of 2004:

No order needs to be passed in these I.As.

I.A Nos. 28-30 of 2004 stand disposed of accordingly.

(Pardeep Kumar) (Renu Diwan)
Court Master Court Master

[SIGNED ORDER IS PLACED ON THE FILE]