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ITEM NO.2

COURT NO.1

SECTION XI

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

I.A. NOS.68-70/2012 IN CIVIL APPEAL NO.6962 OF 2005

R.K. MITTAL & ORS.

Appellant (s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(For extension of time, exemption from filing O.T. and office report)

Date: 22/03/2013 This Matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE ANIL R. DAVE  
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Appellant(s) Mr. Jitendra Mohan Sharma,Adv. (N/P)

For Union Bank of Mr. O.P. Gaggar,Adv.  
India:

For M/s. HDFC Bank Mr. Brijendra Chahar,Sr.Adv.  
Ltd.: Mr. Sonal Jain,Adv.  
Mr. Rishab Raj Jain,Adv.

For Noble Coop. Bank Mr. Jayant Bhushan,Sr.Adv.  
Ltd.: Mr. Anurag Dubey,Adv.  
Mr. Meenesh Dubey,Adv.  
Ms. Anu Sawhney,Adv.

For Respondent(s) Mr. Ravindra Kumar,Adv.  
NOIDA:

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

I.A. Nos.68 and 70 of 2012 have been filed in Civil Appeal No.6962 of 2005, which had been disposed of on 16th July, 2012, with directions to the Banks in NOIDA to stop their commercial activities and to move to other premises.

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Seven months' time was given to the Banks to complete the constructions and to move out from the places under their occupation and directions were also given to the Authorities of NOIDA to see that the Plans submitted were processed quickly and the constructions were completed within the time granted.

It appears that the time-schedule could not be adhered to and an application was made by the State Bank of India for extension of time to complete the construction and to comply with the directions contained in the judgement dated 16th July, 2012. On 8th March, 2013, such application was allowed and the State Bank of India was granted one year's time to comply with the directions given in the aforesaid judgement. I.A. Nos.68 and 70 have been filed on behalf of the Union Bank of India and M/s. HDFC Bank Ltd. for similar relief. Having heard learned counsel for the parties, we allow the two applications and grant further one year's time to

the applicant-Banks to comply with the directions contained in the judgement dated 16th July, 2012, passed in Civil Appeal No.6962 of 2005.

The Authorities of NOIDA may expedite the process of grant of sanction to the applicant-Union Bank of India. The Bank shall also cooperate with the Authorities in order to cure any defects, that may be noticed in the Plans to be sanctioned.

I.A. Nos.68 and 70 are disposed of accordingly.

I.A. No.69 of 2013 has been filed by Noble Cooperative Bank Limited for intervention in the appeal. Having heard learned counsel for the

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the parties, the same is allowed. Let the applicant-Bank be impleaded as a party in the appeal. As far as the other un-numbered application for directions is concerned, let notice issue on the same and let the NOIDA Authorities respond to the same within one week after the Holi vacation. Rejoinder affidavit, if any, may be filed within a week thereafter.

Let the application be listed two weeks after the Holi vacation.

[ T.I. Rajput ]  
A.R.-cum-P.S.

[ Juginder Kaur ]  
Assistant Registrar