

ITEM NO.1

COURT NO.4

SECTION XI

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

I.A. NOS.66-68 IN CIVIL APPEAL NO(s). 6962 OF 2005

R.K. MITTAL & ORS.

Appellant (s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(With appln(s) for extension of time, exemption from filing O.T. and office report)

(I.A. No.69- application for intervention)

(I.A. No.70 - application for extension of time)

Date: 08/03/2013 These Applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For the parties

For SBI

Mr. Mukul Rohtagi, Sr. Adv.

Mr. Vikas Singh, Sr. Adv.

Mr. Sanjay Kapur, Adv.

Mr. Anmol Chandan, Adv.

Ms. Priyanka Das, Adv.

Ms. Shubhra Kapur, Adv.

Mr. Jitendra Mohan Sharma, Adv.

Ms. Deepali S. Surana, Adv.

Mr. Nitin Singh, Adv.

For HDFC

Mr. Brijender Chahar, Sr. Adv.

Mr. Sonal Jain, Adv.

Mr. Rishabh Raj Jain, Adv.

Mr. Rajiv M. Brahma, Adv.

For Noble Bank

Mr. Jayant Bhushan, Sr. Adv.

Mr. Anurag Dubey, Adv.

Ms. Anu Sawhney, Adv.

Mr. Meenesh Dubey, Adv.

Mr.O.P. Gaggar, Adv.

Mr. Ravindra Kumar, Adv.

Ms. Shiel Sethi, Adv.

Mr. Shrish Kumar Misra, Adv.

Mr. Vinay Kumar Garg, Adv.

Mr. Pahlad Singh Sharma, Adv.

Mr. Gopal Prasad, Adv.

Mr. Himanshu Munshi, Adv.

Ms. Rachana Joshi Issar, Adv.

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Mr. Navin Chawla, Adv.

M/s. AP&J Chambers

Mr. Rajesh Goyal, Adv.

Ms. Garima Prasad, Adv.

Mr. Sonal Jain, Adv.

Mr. Chandan Kr. Rai, Adv.

M/s Dua Associates

Mr. S.R. Setia, Adv.
Mr. Arun Kumar Beriwal, Adv.
Mr. L.R. Singh, Adv.
Mr. O.P. Gaggar, Adv.
Mr. Krishan Lal Taneja, Adv.
Mr. Naresh Kumar, Adv.
Mr. Ram Swarup Sharma, Adv.
M/s. Mitter & Mitter Co.
Mr. P. Parmeswaran, Adv
Mr. Rahul Kaushik, Adv.
Mr. Arjun Garg, Adv.
Mr. T. Mahipal, Adv.
Mr. M.C. Dhingra, Adv.
M/s. Parekh & Co.

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

I.A. No.66-67 of 2013

With the intervention of the lawyers of the two sides, specially Mr. Ravindra Kumar, learned counsel appearing for NOIDA, the parties have been able to substantially reduce the area of their dispute.

Out of the 19 building plans submitted by the applicant-the State Bank of India, 15 plans have been sanctioned and the remaining 4 plans are also likely to be sanctioned shortly by NOIDA.

The issue now is to complete the construction according to the sanctioned building plans within the time, as directed in the earlier orders passed by this Court.

Mr. Rohtagi, learned senior advocate appearing for the State Bank of India submitted that before it can even start construction, the Bank will have to issue public tenders for selection of the builder who may be given the contract of constructing the buildings.

Mr. Rohtagi submitted that the Bank is willing and ready to give the contract of constructing the building to

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NOIDA itself but the latter would, of course, not accept the proposal. Learned counsel submitted that given constraints, it will not be possible to complete the construction within the period of seven months and having regard to the practicalities of the matter, a longer time may be allowed to the Bank for completing the construction. We think that there is substance in Mr. Rohtagi's submission and it would be reasonable to allow the Bank to complete the construction on all the 19 plots within one year from today. We order accordingly.

I.A. No.67 of 2013 stands disposed of.

I.A. 68 and 69 of 2013

Put up next week.

I.A. No.70 of 2013

Mr. Brijender Chahar, learned senior counsel appearing for the HDFC Bank, states that a revised plan has been submitted on February 21, 2013 taking into account the objections made earlier by NOIDA.

According to Mr. Ravindra Kumar, learned counsel appearing for NOIDA, there are still objections even in respect of the revised plan submitted by HDFC.

It is for the HDFC to look into the matter and cure the defects as pointed out by NOIDA.

Put up on March 22, 2013.

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|Sr.P.A.

|(Neetu Khajuria)

|Court Master

|(Sneh Bala Mehra)

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