

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

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 exemption from filing O.T.,impleadment as petnr.
and office report)

WITH SLP(C) NO. 24029 of 2005

(With office report)

Civil Appeal NO. 6963 of 2005

(With office report)

SLP(C) NO. 9150 of 2007

(With appln. for permission to file addl. documents and with prayer
for interim relief and office report)

Date: 15/04/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI

HON'BLE MR. JUSTICE J.M. PANCHAL

For Appellant(s)

Mr. P.S.Patwalia, Sr. Adv.
Mr. Vinay Kr. Garg, Adv.
Mr. Vivek Sharma, Adv.
Mr. Neeraj Sharma, Adv.
Mr. P.Kr. Tiwari, Adv.

Mr. P.S.Narasimhan, Sr. Adv.
Mr. Jitendra Mohan Sharma, Adv.
Mr. Sandeep Singh, Adv.
Mr. Sandeep Malik, Adv.
Mr. Harsh Vardhan Saxena, Adv.

Mr. P.S.Patwalia, Sr. Adv.
Mr. C.Mukund, Adv.
Mr. Ashok Jain, Adv.
Mr. Pankaj Jain, Adv.
Mr. Amit K. Adv.
Mr. Bijoy Kumar Jain, Adv.

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Mr. Manoj Swarup, Adv.
Ms. Lalita Kohli, Adv.
Mr. Abhishek Swarup, Adv. for
M/S Manoj Swarup & Co.

Mr. Ravindra Kumar, Adv.

For Respondent(s)

Mr. S.K.Dwivedi, Adv.
Mr. Shrish Kr. Mishra, Adv.
Ms. Vandana Mishra, Adv.

Mr. Ravindra Kumar, Adv.

Mrs. Shiel Sethi, Adv.

Mrs. Rachana Joshi Issar, Adv.

Mr. Himanshu Munshi, Adv.

Mr. Pahlad Singh Sharma, Adv.

Mr. Vishwajit Singh, Adv.

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

Applications for impleadment are allowed.

We have heard the learned counsel for the parties
at length on the prayer for interim relief.

In the light of the facts which so far remain
unrebutted it does appear that a very large number of
banks have opened branches in residential sectors in
Noida and that the Bank of Maharashtra Branch proposed
to be opened in House No. D-175, Sector 48, Noida,
G.B.Nagar, U.P. has apparently been singled out and has
been sealed by the respondent-Authorities.

In view of the above, we direct that the
bank will be allowed to function in the aforesaid
premises but it is made clear

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that if and when the respondent-Authorities take action
against the other banks and choose to shut them, the
Bank of Maharashtra will not claim any special equities
in its favour and shall also close the branch
aforementioned forthwith.

Mr. K.K. Venugopal, the learned senior counsel
states that a reply will be filed to the additional
affidavit of Sunil Kumar Sharma within two months.

To be put up in the normal course.

[SUMAN WADHWA]
COURT MASTER

[SNEH BALA MEHRA]
COURT MASTER