

SUPR EME COUR T OF I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).14591-14593/2009

(From the judgement and order dated 08/04/2009 in AL No. 73/2009 & AL No. 216/2009 & AL No. 220/2009 & S No. 2937/2008 & NM No. 3533/2008 of The HIGH COURT OF BOMBAY)

ASHWINI LIFE SCIENCES PVT.LTD.

Petitioner(s)

VERSUS

VIJAY DWELLERS PVT.LTD.& ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment, permission to file additional documents and prayer for interim relief ))

WITH SLP(C) NO. 15034-15036 of 2009  
(With prayer for interim relief and office report)  
SLP(C) NO. 15037-15039 of 2009  
(With prayer for interim relief and office report)  
SLP(C) NO. 15145-15146 of 2009  
(With prayer for interim relief and office report)  
SLP(C) NO. 15158-15160 of 2009  
(With prayer for interim relief and office report)  
SLP(C) NO. 17950-17951 of 2009  
(With prayer for interim relief and office report)  
SLP(C) NO. 19685 of 2009  
(With prayer for interim relief and office report)

Date: 10/08/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Harish N. Salve, Sr. Adv.  
Mr. Mukul Rohtagi, Sr. Adv.  
Mr. Amarendra Sharan, Sr., Adv.  
Ms. Garima Prashad, Adv.

For Respondent(s) Mr. K.K. Venugopal, Sr. Adv.  
Mr. L.N. Rao, Sr. Adv.  
Mr. Dushyant Dave, Sr. Adv.  
Mr. Praveen Sardani, Sr. Adv.  
Mr. Sidharth Sengar, Adv.

-2-

Mr. Abhindra Maheshwari, Adv.  
Mr. Pankaj Bisht, Adv.  
Mr. Rakesh K. Sharma, Adv.  
Mr. Vishwajit Singh, Adv.  
Mr. Senthil Jagadeesan, Adv.  
Mr. Sukant Vikram, Adv.  
Mr. Saurabh Kirpal, Adv.  
Mr. Ajay Bhargava, Adv.  
Ms. Vinita Bhargava, Adv.

M/S. Khaitan & Co. ,Adv

UPON hearing counsel the Court made the following  
ORDER

From the submissions made on behalf of the respondent No.1, it appears that six flats which are, to be provided to the plaintiff-petitioners in the two buildings are still under construction. A submission has been made on behalf of the respondent No.1 that six flats have been kept apart for the plaintiff-petitioners and that although they are at present under the occupation of certain tenants who have been accommodated only as transit occupants, the same have not been sold. These flats would be vacant and would be available to the petitioners subject to the result of the pending suit.

Mr. Venugopal, learned Senior Advocate, appearing for the respondents 1 and 2 submits that appropriate affidavits affirmed by the transitional occupants would also be filed in respect of the six flats to further ensure that the said flats would be available if the petitioners succeeded in the suit.

-3-

Let these matters stand over till 31.8.2009. The copy of the affidavits to be filed by the transitional occupants are to be made available to the learned Advocate-on-Record for the petitioners in all the seven SLPs at least two days before the next date.

(Kusum Syal)  
Sr.P.A.

( Juginder Kaur )  
Court Master