

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.78 AND 106 IN CIVIL APPEAL NO.5168 OF 2000

SANCHAYANI SAVINGS INVESTMENT(I) LT.&ORS Appellant (s)

VERSUS

STATE OF WEST BENGAL & ORS Respondent(s)

(For Directions and office report)

With Contempt Petition (C) No.389/2004 in C.A. No.5168 of 2000  
(With appln(s) for permission to submit additional document(s)  
and office report)

Date: 04/09/2009 These Matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL  
HON'BLE MR. JUSTICE G.S. SINGHVI

For Appellant(s)	Mr. Ashish Sethi,Adv. Mr. Ugra Shankar Prasad,Adv.
For Petitioner(s)	Mr. G.K. Bansal,Adv.
For Respondent(s)	Mr. Deba Prasad Mukherjee,Adv.  Mr. Rana Mukherjee,Adv. Mr. Goodwill Indeevar,Adv.  Mr. D. Mahesh Babu,Adv.  Mr. Ramesh Babu M.R.,Adv. Ms. Manisha Nair,Adv. Mr. Srinjoy Banerjee,Adv. Ms. Swati Setia,Adv.  Mr. G.K. Bansal,Adv. Mr. Sanjay Bansal,Adv. Mr. Ajay Chaudhary,Adv.  Ms. Indra Sawhney,Adv.  Mr. S.N. Bhat,Adv.

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Mr. Abhishth Kumar,Adv.

Mr. Ajit Kumar Pande,Adv.

Mr. Prashant Kumar,Adv.

Mr. Mukesh K. Giri,Adv.

Mr. Vishwajit Singh,Adv.

Mr. Varinder Kumar Sharma,Adv.

Mr. Ashiesh Kumar,Adv.

Mr. Rajesh Srivastava,Adv.

Mr. Ajay Choudhary, Adv.

Mr. T. Raja, Adv.

Mr. T.A. Khan, Adv.

Mr. S.N. Terdal, Adv.

Mr. D.S. Mahra, Adv.

Mr. L.N. Rao, Sr. Adv.

Mr. C.K. Sasi, Adv.

Mr. G.S. Chatterjee, Adv.

M/s. Suresh A. Shroff and Co., Advs.

Mr. M.P. Singh, Adv.

Mr. B.S. Banthia, Adv.

Mr. Arun K. Sinha, Adv.

Mr. C.L. Sahu, Adv.

Mr. P.V. Dinesh, Adv.

Mr. Shivaji M. Jadhav, Adv.

Mr. V.N. Raghupathy, Adv.

Mr. Gaurav Agrawal, Adv.

Mr. Lakshmi Raman Singh, Adv.

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- 3 -

Ms. Sharmila Upadhyay, Adv.

Mr. Venkateswara Rao Anumolu, Adv.

Ms. Nanita Sharma, Adv.

Mr. Chander Shekhar Ashri, Adv.

Mr. Sunil Kumar Verma, Adv.

Mr. Rauf Rahim, Adv.

Mr. D.N. Goburdhan, Adv.

For Applicant(s) Mr. Shyam Divan, Sr. Adv.

Mr. Rajeev Chabra, Adv.

Ms. Vibha Datta Makhija, Adv.

Mr. Rakesh K. Sharma, Adv.

Mr. Pavan Kumar, Adv.

Mr. M.P. Vinod, Adv.

Mr. Pranab Kumar Mullick, Adv.

Ms. Rukhsana Choudhury, Adv.

Mr. Dip Narayan Mittra, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. Sanjay Jain, Adv.

Mr. Pranab Kumar Mullick, Adv.

Mr. Rakesh K. Sharma, Adv.

Mr. Balaji Srinivasan, Adv.

Ms. A. Sumathi, Adv.

Ms. Abha R. Sharma, Adv.

Ms. Jayshree, Adv.

Ms. Jyoti Mendiratta, Adv.

Ms. Anagha S. Desai, Adv.

....4/-

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Mr. Ravindra Keshavrao Adsure, Adv.

Ms. Suruchi Agarwal, Adv.

Mr. Shekhar Prit Jha, Adv.

Mr. Chiraranjan Addey, Adv.

Mr. Ajay Choudhary, Adv.

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

Prayer has been made in these applications, in effect and substance, for modification of order dated 6th May, 2008 passed in this case.

Learned counsel appearing on behalf of the applicant, Manoj Balakrishnan Shah, submitted that, during the pendency of these applications, his client should be permitted to proceed ahead with the construction of Plot No.56, Central Excise Employees Housing Society, Chhatrapati Nagar, Nagpur. He stated that his client shall not create any third party rights or in any manner encumber the subject of dispute or part with the possession of the property in question. Learned counsel further stated that his client will not claim any equity and shall remove structures put up by him upon the aforesaid Plot No.56 at his own cost in the event of his failure in these two applications.

In view of this, we direct that, until further orders, the applicant may proceed with the construction work upon Plot No.56 upon filing an undertaking to the aforesaid effect within a period of four weeks from today.

Place these applications for consideration on 16th November, 2009.

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

ITEM NO.MM-A

[ Savita Sainani ]  
Court Master

COURT NO.2

SECTION XVI

I.A. NO.70 IN CIVIL APPEAL NO.5168 OF 2000

SANCHAYANI SAVINGS INVESTMENT(I) LT.&ORS

Appellant (s)

VERSUS

STATE OF WEST BENGAL & ORS

Respondent(s)

Date: 04/09/2009 These Matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL  
HON'BLE MR. JUSTICE G.S. SINGHVI

For Appellant(s)

Mr. Ashish Sethi,Adv.  
Mr. Ugra Shankar Prasad,Adv.

For Applicant(s)

Mr. P.K. Mullick,Adv.

For Respondent(s)

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

Place this application on 30th September,  
2009, along with the main case.

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

[ Savita Sainani ]  
Court Master