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ITEM NO.2 COURT NO.3 SECTION IX
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. 4, 5 and 6 IN CIVIL APPEAL NO(s). 2152 OF 2008

POONA TIMBER MERCHANTS & SAW MILLS ASSO. Appellant (s)
VERSUS

STATE OF MAHARASHTRA AND ORS. Respondent(s)
(For directions and intervention and office report)

WITH

I.A.No.6 In Civil Appeal NO. 2153 of 2008
(For directions and office report)

I.A.No.2 In Civil Appeal NO. 2154 of 2008
(For directions and office report)

I.A.Nos.1 and 3 In Civil Appeal NO. 2156 of 2008
(For directions and intervention and office report)

Date: 16/07/2013 These I.As were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Appellant(s) Mr. Jitendra Sharma, Sr.Adv.
in CA 2152,2153/2008 Mr. Dhiraj, Adv.
Mr. Harsharan Singh, Adv.
Mr. P.N. Puri, AOR

For Appellant(s) Mr. Dhiraj, Adv.
in CA 2154/2008 Mr. Harsharan Singh, Adv.
Mr. P.N. Puri, AOR

Mr.Shekhar Naphade, Sr.Adv.
Mr.Makarand D.Adkar, Adv.
Ms. aparna Jha, Adv.
Mr.Vijay Kumar, Adv.

For Respondent(s) Mr.Arvind Sawant, Sr.Adv.
(applicant in IA5 Mr.S.Sukumaran, Adv.
in CA 2152/2008 Mr.Jernold J.Xavier, Adv.
Mr. Anand Sukumar, Adv.
Mr.Bhupesh Kumar Pathak, Adv.

For RR No.6 in Mr. T.R.Andhyarujina, Sr. Adv.
CA 2156/2008 Mr. Ranjit Kumar, Sr.Adv.
Mr. Dhiraj, Adv.
Mr. Harsharan Singh, Adv.
Mr. P.N.Puri, AOR
Mr. Shyam Divan, Sr.Adv.
Mr. Shivaji M. Jadhav, Adv.
Mr. Rahul Jain, Adv.

Mr. Huzefa Ahmadi, Sr. Adv.
Mr. R.K. Satpalkar, Adv.
Mr. Shiv Suri, Adv.
Mr. Saswat Patnaik, Adv.

Mr.S.Udaya Kumar Sagar, Adv.
Ms.Bina Madhavan, Adv.
Ms. praseena E. Joseph, Adv.
Mr. Shivendra Singh, Adv.

Mr. Arun R. Pedneker, Adv.
Mr.Sanjay Kharde, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. No.4 in Civil Appeal No.2152 of 2008

This is an application by Shri Nandkumar Bholanath Sonawani and two others through their power of attorney holder Shri Ritesh Dharampal Hanswani for permission to intervene in the proceedings of Civil Appeal No. 2152 of 2008.

Since no one has appeared on behalf of the applicants, it can reasonably be presumed that they are not interested in pressing the application.

Even otherwise, we are convinced that the presence of the applicants is not necessary for adjudication of the issues raised in the main appeal.

The application is accordingly dismissed.

I.A. No.5 in Civil Appeal No. 2152 of 2008

This is an application by Municipal Commissioner, Municipal Corporation of Greater Mumbai for permission to intervene in the proceedings of Civil Appeal No. 2152 of 2008.

We have heard learned senior counsel for the applicant and carefully perused the averments contained in the application.

In our considered view, the application deserves to be rejected because the person who has filed affidavit in support of the application describing himself as Chief Engineer (Development), Planning Department has not been authorised by the Municipal Corporation of Greater Mumbai to file the application.

We are further of the view that the presence of the applicant is not necessary for deciding the issue raised in the main appeal.

The application is accordingly dismissed.

Further hearing of the matter is not possible because the files of this batch are in total mess.

The Registrar(Judicial) is directed to seek explanation of the concerned official who sent the record without even marking the applications and putting them in a proper order.

The explanation and the report of the Registrar must be annexed with the main file and placed before the Court on 18.07.2013.

List the case on 18.07.2013.

Parveen Kr. Chawla)
Court Master

(Usha Sharma)
Court Master