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ITEM NO.14

COURT NO.9

SECTION IX

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 16419/2011
(Arising out of impugned final judgment and order dated 08/04/2011
in CA No. 960/2011 passed by the High Court of Judicature at
Bombay)

M/S RUKHANA ASSOCIATES

Petitioner(s)

VERSUS

E SQUARE LEISURE (P) LTD.

Respondent(s)

(With interim relief and office report)

(For Final Disposal)

WITH

SLP(C) No. 26048/2011

(With Office Report)

SLP(C) No. 33999/2011

(With Interim Relief and Office Report)

Date : 15/03/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA

HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Krishnan Venugopal, Sr. Adv.

Mr. Kunal Vajani, Adv.

Mr. Aravindh S., Adv.

Mr. V. Ramasubramanian, Adv.

For Respondent(s) Mr. C.U. Singh, Sr. Adv.

Mr. Nikhil Nayyar, AOR

Mr. Dhananjay Baijal, Adv.

Mr. N. Sai Vinod, Adv.

UPON hearing the counsel the Court made the following

O R D E R

After hearing learned senior counsel for the parties, we
do not find any good ground to interfere with the impugned orders
passed by the High Court having regard to the fact that the liberty

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is reserved to the petitioner/plaintiff to challenge in the event
of judgment is passed against it.

Apart from the aforesaid reason, the interim Award passed
in the case of Mr. Kiran Ganatra vs. E-Square Leisure (P) Ltd.
(formerly known as Ganatra Hotels Pvt. Ltd.), during the pendency
of the suit, will not be binding on the plaintiff. No right will
accrue on the basis of the interim Award in respect of the property
in question in favour of Mr. Kiran Ganatra/Claimant.

With the aforesaid observations, the special leave
petitions are dismissed.

Pending application(s), if any, stands disposed of.

(S. K. RAKHEJA)

COURT MASTER (MALA KUMARI SHARMA)

COURT MASTER