

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).21476-21493/2005

(From the judgment and order dated 27/05/2005 in WA No.2627,2740 to 2755 of 2004 & 3618/2004 of The HIGH COURT OF KARNATAKA AT BANGALORE)

BANGALORE METROPOLITAN TRPT. CORPN.

Petitioner(s)

VERSUS

M/S GOKULA EDUCATION FOUNDATION & ORS.

Respondent(s)

(With prayer for interim relief)

WITH

CONMT.PET.(C) NO. 100 of 2006 in SLP(C) Nos. 21476-21493 of 2005
SLP(C) NO. 22446-22499 of 2005 - With prayer for interim relief & O/R
SLP(C) NO. 25318-25335 of 2005 - With office report
SLP(C) NO. 25336-25371 of 2005 - With office report

Date: 15/12/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. Dushyant A. Dave, Sr.Adv.

Mr. R.s. Hegde, Adv.
Mr. Chandra Prakash, Adv.
Mr. J.K. Nayyar, Adv.
Mr. Rahul Tyagi, Adv.
Mr. Ashwani Garg, Adv.
Mr. P.P. Singh, Adv.

Mr. Sanjay R. Hegde, Adv.

Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Avijeet Kr. Lola, Adv.
Mr. Vijay Kumar, Adv.

For Respondent(s) Mr. K.K. Venugopal, Sr.Adv.

Mr. P. Vishwanatha Shetty, Sr.Adv.
Ms. Uttara Babbar, adv.
Mr. Sharan Dev Singh Thakur, Adv.
Ms. Shashi Kiran Shetty, Adv.
Mr. Pradeep Kumar Bakshi, Adv.
Mr. S.K. Kulkarni, adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Avijeet Kr. Lola, Adv.
Mr. Vijay Kumar, Adv.

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UPON hearing counsel the Court made the following
ORDER

I.A.No.....of 2008

This I.A. has been preferred by Bangalore Metropolitan Transport Corporation for modification of Order dated 25th November, 2005, passed by

the Division Bench of this Court granting status quo.

The applicant seeks to construct a Bus Stand in the scheduled land admeasuring 3276 sq. meters in Survey No. 20 of Chikkamaranahalli Village, RMV II Stage, III Block, Bangalore.

Having heard learned counsel on both sides, we dispose of this I.A. on the following conditions:-

(i) We are permitting Bangalore Metropolitan Transport Corporation to construct a Bus Stop(s) and not a Bus Terminal/Depot on the afore-stated area of 3276 sq. meters.

(ii) A Plan for construction of the Bus Stop(s) shall be submitted by the applicant within a period of two weeks from today before the RTA, which will examine the Plan and approve it in accordance with Motor Vehicles Act and the Rules framed thereunder.

(iii) It is made clear that no toilets would be permitted at sight.

(iv) The applicant hereby undertakes through its Managing Director to remove all such constructions within four weeks from the date of disposal of the pending Civil Appeal before this Court, in case the appellant fails in the Civil Appeal.

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The Interlocutory Application is disposed of accordingly.

(S. Thapar)
PS to Registrar

(Madhu Saxena)
Court Master