

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

Petition for Special Leave to Appeal (Civil) No.14802/2007
(From the judgement and order dated 21/03/2007 in WPLRT No. 874/2003 of The HIGH COURT OF CALCUTTA)

PRESIDENT, STATION PARA SPORTING CLUB Petitioner(s)
VERSUS Respondent(s)
DIPANKAR SEN & ORS.
(WITH APPLN.(S) FOR BRINGING ON RECORD THE LRS. OF DECEASED RESPONDENT AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT) (FOR FINAL DISPOSAL)
WITH
SLP(C) NO. 21742 of 2007
(WITH APPLN.(S) FOR BRINGING ON RECORD THE LRS. OF DECEASED RESPONDENT AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT) (FOR FINAL DISPOSAL)
CONMT.PET.(C) NO. 157 of 2008 IN SLP(C) NO. 14802/2007

Date: 25/04/2011 These Petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s)
SLP(C) 14802/07 Mr. Nagendra Rai, Sr. Adv.
Mr. M.K. Choudhary, Adv.
Mr. Avishek Sikdar, Adv.
Mr. Somnath Mukherjee, Adv.
SLP(C) 21742/07 &
rr 8 to 12
SLP(C) 14802/07 Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.
CONT.P (C)157/08 Mr. B.K.Satija, Adv.
For Respondent(s)
rr 1 to 7 Mr. Sanjoy Ghose, Adv.
Ms. Anitha Shenoy, Adv.

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

SLP(C) No. 14802/2007 & SLP(C) No. 21742/2007
Applications for bringing legal
representatives of respondent No.2 are allowed,
subject to just exceptions.

...2/-

:2:

Learned counsel appearing for the
petitioner - Club submits that the Club has no
funds to purchase the subject land admeasuring
1.91 acres at the circle rate, as was suggested

on the last date of hearing. Learned counsel appearing for the respondents, on the other hand, submits that the respondents would leave the question of fixation of the price to this Court. However, learned counsel for the petitioner sticks to the stand that the Club is not in a position to pay any amount for purchase of the land in question.

It appears from the stand of the petitioner that since they have interim injunction in their favour, they want to enjoy the land without paying any amount to the land owner. Accordingly, while granting leave, we vacate ad interim orders dated 31st August, 2007 and 2nd November, 2007, whereby the parties were directed to maintain status quo, as it existed then, with regard to the possession of the subject land.

The appeals will be heard on the SLP Paper Books. Additional documents, if any, may be filed by the parties.

...3/-

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CONTEMPT PETITION (CIVIL) NO. 157 OF 2008 IN
SLP(C) NO. 14802/2007

The Contempt Petition is dismissed as not pressed.

(VINOD LAKHINA)
Court Master

(KUSUM GULATI)
Court Master