

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 (Civil) No(s).17407/2010

(From the judgement and order dated 20/04/2010 in A No. 191/2010 & S No. 2440/2009 & NM No. 3389/2009 of The HIGH COURT OF BOMBAY)

ARJANDAS MENGHRAJ THAKUR Petitioner(s)  
VERSUS  
HEMANT KRISHNA WARADKAR & ORS. Respondent(s)

(With prayer for interim relief )

WITH  
SLP(C) NO. 17721 of 2010  
(With appln.(s) for exemption from filing c/c of the impugned judgment and office report)

WITH  
SLP(C) NO. 18323 of 2010  
(With appn.(s) for exemption from filing c/c of the impugned judgment, prayer for interim relief and office report)

SLP(C) NO. 18338 of 2010  
(With appln.(s) for exemption from filing O.T., prayer for interim relief and office report)

Date: 12/07/2010 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. Ashok Desai, Sr. Adv.  
in SLP(C)17407/2010 Mr. E.C. Agrawala, Adv.

For respondents Mr. Harish N. Salve, Sr. Adv.  
in SLP 17407/2010 Mr. Kevic Setalvad, Adv.  
Mr. Santosh Paul, Adv.  
Mr. Sriharan N. Bundela, Adv.  
Ms. Arti Singh, Adv.  
Mr. M.J. Paul, Adv.  
Mr. Vishwajit Singh, Adv.

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.  
in SLP(C)17721/2010 Mr. A.M.P. Latha, Adv.  
Mrs. Prabha Swami, Adv.

For 1st respondent Mr. R.F. Nariman, Sr. Adv.  
in SLP 17721/2010 Mr. Kevic Setalvad, Adv.  
Mr. Santosh Paul, Adv.  
Ms. Vimla Shah, Adv.  
Mr. Dhiren Shah, Adv.  
Mr. Sriharan N. Bundela, Adv.  
Ms. Arti Singh, Adv.  
Mr. M.J. Paul, Adv.  
Mr. Vishwajit Singh, Adv.

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For Petitioner Mr. Shekhar Naphade, Sr. Adv.  
in SLP(C)18323/2010 Mr. P. Samdhani, Sr. Adv.  
Mr. Makarand D. Adkar, Adv.  
Mr. Satyan Vora, Adv.  
Mr. Vijay Kumar, Adv.  
Mr. Vishwajit Singh, Adv.

For Respondent  
in SLP 18323/2010

Mr. Soli J. Sorabjee, Sr. Adv.  
Dr. Abhishek M. Singhvi, Sr. Adv.  
Mr. Kevic Setalvad, Adv.  
Mr. Santosh Paul, Adv.  
Ms. Vimla Shah, Adv.  
Mr. Dhiren Shah, Adv.  
Mr. Sriharan N. Bundela, Adv.  
Ms. Arti Singh, Adv.  
Mr. M.J. Paul, Adv.

For Petitioner  
in SLP 18338/2010

Mr. Mukul Rohtagi, Sr. Adv.  
Mr. Kevic Setalvad, Adv.  
Mr. Santosh Paul, Adv.  
Ms. Vimla Shah, Adv.  
Mr. Dhiren Shah, Adv.  
Mr. Sriharan N. Bundela, Adv.  
Ms. Arti Singh, Adv.

For Respondent  
in SLP 18338/2010

Mr. Vishwajit Singh, Adv.

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

SLP(C) Nos.17407/2010, 17721/2010 & 18323/2010

Issue notice.

Ms. Arti Singh, learned counsel accepts  
notice for the respondent - Hemant Krishna  
Waradkar in the said three SLPs. Notice to  
other respondents

The interim prayer for stay of  
paragraphs (ii) and (iii) of the operative  
portion of the impugned order, is rejected.  
However, it is made clear that the order of the  
High Court will not come in the way of the  
petitioners in the said three SLPs  
approaching the concerned Court or authority,  
for setting aside the 'Notice of Pendency of  
Suit' said to have been

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filed by the plaintiff under Section 52 of the  
Transfer of Property Act. It is also made clear  
that the pendency of the suit filed by the  
plaintiff or the order of the High Court will  
not come in the way of the progress of the  
criminal investigation or criminal proceedings  
in accordance with law, in the FIR registered  
against Hemant Krishna Waradkar.

SLP(C) No.18338/2010

SLP(C) No.18338/2010 filed by the  
plaintiff (Hemant Krishna Waradkar) is  
dismissed.

(Ravi P. Verma)  
Court Master

(Madhu Sudan)  
Court Master