

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

Petition(s) for Special Leave to Appeal (C) No(s). 4112/2015

(Arising out of impugned final judgment and order dated 15/01/2015 in RP No. 149/2014 in Writ Petition No. 5552 of 2013 passed by the High Court Of Bombay)

SUDHA HARI POPHALE & ORS.

Petitioner(s)

VERSUS

THE ORIENTAL INSURANCE CO. LTD. & ORS.

Respondent(s)

(with appln. (s) for exemption from filing c/c of the impugned judgment and interim relief and office report)

WITH

S.L.P. (C)...../2015 (CC No. 2358/2015)

(With appln.(s) for c/delay in filing SLP and Office Report)

Date : 11/02/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL

HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s)

Mr. Kapil Sibal, Sr.Adv.

Mr. Gaurav Goel, Adv.

Mr. Arup Banerjee, Adv.

For Respondent(s)

Mr. Vikas Singh, Sr.Adv.

Mr. Mohinder Singh, Adv.

Mr. Vishnu Mehra, Adv.

Ms. S. Ramamani, Adv.

Ms. Deepika, Adv.

Mr. Kapish, Adv.

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

Delay of 457 days in filing the Special Leave
Petition(C)...../2015 (CC No. 2358) is condoned.

Issue notice on both the special leave petitions.

Let these matters be heard along with Special Leave Petition(C) No. 35859 arising out of CC No. 19293 of 2014.

Hearing of the matters shall be expedited with the permission of Hon'ble the Chief Justice.

Till the matters are heard, status quo, as it exists today, shall be maintained.

We have heard Mr. Vikas Singh, learned senior counsel appearing for the respondent in S.L.P.(C) No. 4112 of 2015, who opposed grant of status quo.

In our view, it is well settled that when an appeal/petition arising out of an order is fixed for hearing and notices are issued, then the order which has serious consequences, must be stayed. Reference is made to the decision of this Court in Ashoka Marketing Limited and another versus Punjab National Bank and others reported in (1990)4 SCC 406.

It goes without saying that we have not entered into the merits and have not expressed any opinion on the merits of the case.

(Sukhbir Paul Kaur)
Court Master

(Indu Pokhriyal)
Court Master