

H

C.A.No. 2501 OF 2002  
ITEM No. 1

Court No. 4

SECTION IX  
A/N MATTER

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

I.A. No. 6-7, 8-9 & 10-11 in in Civil Appeal No.2501/2002

UNION OF INDIA & ANR.

Appellant (s)

VERSUS

RAJA MOHAMMED AMIR MOHAMMAD KHAN

Respondent (s)

( for appointment of receiver and for permission to file  
rejoinder affidavit and direction/clarification/modification  
dt. 31.03.2003 and exemption from filing O.T.)

Date : 08/05/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI  
HON'BLE MR. JUSTICE ASHOK BHAN

For Appellant (s)Mr. Kirit N. Raval, SG  
Mr. Sanjay R. Hegde, Adv.  
Mr. Anil Mishra, Adv.  
Mr. Shreekant N. Terdal,Adv.

For Respondent (s)Mrs Manik Karanjawala,Adv.

Dr. A.M. Singhvi, Sr.adv.  
Mr. Sunil Dogra, Adv.  
Mr. Manu Nair, Adv.  
Mr. Jayant Mehta, Adv.  
For M/s. Suresh A. Shroff & Co., Advs.

Mr. A.K. Ganguli, Sr. Adv.  
Mr. Rakesh K. Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. Nos. 8 and 10

In view of the auction of 14 orchards which has already been held in compliance with our order dated 31.3.2003, these applications are infructuous and no modification in our previous order is called for. The auction which has been held shall be without prejudice to the rights of either party. The auction shall be deemed to have been held by the Collector and District Magistrate only as an Agent of this Court. The Collector and District Magistrate shall see that the auction-purchaser enjoys the fruits of auction unhindered by anyone else. The applicants in I.A. No. 10 and the respondents herein are directed not to interfere

- 2 -

with the collection of fruits and crop by the auction-purchaser of the auction held on 24.4.2003.

It is conceded at the Bar that no further auction is required to be held, for it may not bring any result. The parties are at liberty to seek an early hearing of the appeal. If the appeal is not heard upto the month of September, 2003 then the parties shall be at liberty to move an appropriate application seeking directions for the arrangements to be made for the succeeding years during the hearing of the appeal.

Shri A.K. Ganguli, learned senior counsel for the purchasers in private auction which has not been recognised or upheld by this Court seeks a direction for the refund of the moneys paid by him to the respondents. He also claims compensation for the investment made by him. Dr. A.M. Singhvi, learned senior counsel for the respondents states that the respondents will be advised to sort out this matter out of Court.

(Ajay Kr. Jain)

(Radha R. Bhatia)

Court Master  
Court Master