

ITEM NO.2

COURT NO.2

SECTION IX

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

IA 5-6/2011 in
Petition(s)for Special Leave to Appeal(Civil) No(s).6933-6944/2010

(From the judgement and order dated 11/08/2009 in WP
No.5694/2009,WP No.5723/2009 of The HIGH COURT OF BOMBAY)

ASHWINI CO-OP HOUSING SOC.LTD & ORS.

Petitioner(s)

VERSUS

LAXMANRAO SHANKARRAO SHINDE(D)TH:LRS&ORS

Respondent(s)

(for vacating interim order and office report))

Date: 07/05/2012

These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. Manish Pitale, Adv.
Mr. Vinay Navare, Adv.
Mr. Keshav Ranjan, Adv.
Mr. Satyajeet Kumar, Adv.
Ms. Abha R. Sharma,AOR.

For Respondent(s)

Mr. Pragyan Sharma, Adv.
Mr. Rupesh Gupta, Adv.
Mr. P.V. Yogeswaran,AOR.

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

SLP(C)6933-6944/10 1. IA 5-6/2011 have been filed in the pending

Special Leave Petitions, for different interim
reliefs, but when the same are taken up, learned
counsel for the respondents confined his prayer to
an order that any construction raised on the suit
properties should be subject to the final outcome
of the suit.

2. There can be no objection to such a prayer,

since, in any event, the status of the construction would depend on the final outcome in the suit.

3. Accordingly, we dispose of I.A.5-6 of 2011, by observing that any construction made on the suit premises will abide by the result of the suit.

4. The petitioners shall not also claim any equity on the basis of such constructions.

5. Since the Special Leave Petitions are both ready for hearing, let them be listed for final disposal in the second week of August, 2012.

(Sheetal Dhingra)
COURT MASTER

(Juginder Kaur)
Assistant Registrar