

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. 2 in Petition(s) for Special Leave to Appeal (Civil) No(s).24703/2005

(From the judgement and order dated 05/08/2005 in LPA No. 20/2005 of The HIGH COURT OF BOMBAY, BENCH AT NAGPUR)

VILAS Petitioner(s)

VERSUS

M/S GANESH BUILDERS & ORS. Respondent(s)

(for clarification/modification of court's order dated 29.11.2005 and office report )

Date: 20/11/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.P. MATHUR

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s) Mr. Uday U. Lalit, Sr. Adv.  
Mr. Avinash Gharote, Adv.  
Mr. Manish Pitale, Adv.  
Mr. Chander Shekhar Ashri, Adv.

For Respondent(s) Mr. Aniruddha P. Mayee, Adv.  
Mr. Sanjeev Kumar Choudhary, Adv.

Mr. Sanjay Sen, Adv.

Mr. Rana S. Biswas, Adv.

Mr. Manish P. Singh Chouhan, Adv.

Mr. Vishal Anand, Adv.

Mrs Sarla Chandra, Adv.

Mr. H.D. Dangre, Adv.

Mr. Madnani, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. No.2 has been filed by respondent No. 1 praying that the order dated 29.11.2005 may be clarified/modified and a direction may be issued to the petitioners and also to respondent Nos. 2 to 16 or any body claiming rights through them to maintain status quo regarding the subject matter of the property.

: 2 :

Mr.U.U. Lalit, learned senior counsel for the petitioners has drawn our attention to the order dated 8.9.2004 passed by the learned Arbitrator wherein a direction was issued to the respondents before the learned Arbitrator to maintain status quo and not to create any third party right over the suit property. Mr. Lalit has further submitted that in view of the fact that the said order is still operating and further that

the petitioners have already executed a registered sale deed on 7.8.2004  
in favour of Soham Co-operative Society, no further order is required to  
be passed.

In view of the statement made by Mr. U.U.Lalit, learned senior  
counsel and the order passed by the learned Arbitrator on 8.9.2004, we  
do not consider it necessary to pass any order as prayed for in th  
e  
application as the interest of respondent No. 1 is adequately protected.

I.A. 2 is accordingly disposed of.

(Pardeep Kumar)  
Court Master

(Radha R.Bhatia)  
Court Master