

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).23228/2008

(From the judgement and order dated 21/07/2008 in WP No. 385/2008 of The  
HIGH COURT OF BOMBAY)

NEWLOOK CONSTRUCTIONS PVT.LTD.

Petitioner(s)

VERSUS

CHAMPAKLAL JIVARAJ JAIN &amp; ORS.

Respondent(s)

(With appln(s) for permission to place addl. documents on record and prayer for  
interim relief and office report)

Date: 29/09/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s) Mr. R.F. Nariman, SR.Adv.

Mr. E.C. Agrawala, Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Rishi Agrawala, Adv.

Mr. Gaurav Goel, Adv.

Ms. Rohma Hameed, Adv.

For Respondent(s)

Mr. Shekhar Naphade, Sr.Adv.

Mr. Nitin S. Tambwekar, Adv.

Mr. B.S. Sai, Adv.

Mr. K. Rajeev, Adv.

UPON hearing counsel the Court made the following  
ORDER

The petitioner submits that the High Court has granted the interim order by stating "admittedly the Irani Chawl at Plot No.407A does not form part of the SRA Scheme". Learned counsel for the petitioner submitted that no such admission was made and points out that in the affidavits filed by the respondents in the writ petition before the High

Court, it was clearly stated that the said plot was a part of SRA Scheme; and that therefrom the interim order, therefore, is based on a wrong premises.

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Mr. Shekhar Naphade, learned senior counsel appearing for respondent No.1 however submitted that Irani Chawl was not part of SRA Scheme.

This SLP is against an interim order. If there is no such admission and the High Court has erroneously assumed that there was a such admission, the appropriate course for the petitioner is to bring this

fact to the notice of the High Court and seek modification of the order. We therefore do not find this a fit case for our interference. The special leave petition is dismissed.

(PAWAN KUMAR)  
COURT MASTER

(ANAND SINGH)  
COURT MASTER