

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

Petition(s) for Special Leave to Appeal (Civil) No(s).23267/2008

(From the judgement and order dated 30/04/2008 in Appeal From Order No. 58/2008 in Special Civil Suit No.703/2007 of The HIGH COURT OF BOMBAY)

ONE STOP SHOP INDIA PVT.LTD.

Petitioner(s)

VERSUS

RUSTOM NANABHOY JEEJEEBHOY & ORS.

Respondent(s)

(With prayer for interim relief and office report)

(For Final Disposal)

Date: 03/09/2013 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD
HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s)

Mr. P.S. Narsimha, Sr. Adv.
Mr. Amar Dave, Adv.
Mr. Ashish Dhakne, Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. E.C. Agrawala, Adv.
Mr. Gaurav Goel, Adv.

For Respondent(s)

Mr. Kailash Vasdev, Sr. Adv.
Mr. Arvind Shah, Adv.
Ms. Charu Mathur, Adv.
Ms. Shirin Khajuria, Adv.

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

We are not inclined to interfere with the impugned order in exercise of our discretion under Article 136 of the Constitution.

However, we direct the learned Judge in seisin of the suit to make effort to dispose of the suit expeditiously, preferably within a period of not more than six months.

Contd. 2..

The parties shall cooperate in early disposal of the suit.

The respondents may proceed with the construction at their own risk and shall not create third party interest during the pendency of the suit. We further observe that they shall not claim equity only on the ground that they have made construction.

The special leave petition is dismissed with the aforesaid direction.

