¢ITEM NO.22 COURT NO.3 SECTION XIIA

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)...../2011
CC 15138/2011

(From the judgement and order dated 29/04/2011 in CMA No.98/201 of the HIGH COURT OF A.P AT HYDERABAD)

APM IMPEX TRADING P.LTD. Petitioner(s)

VERSUS

DAYANAND AGARWAL & ORS. Respondent(s)

With I.A.No.1 (C/delay in filing SLP)

Date: 30/09/2011 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Mukul Rohtagi, Sr. Adv.
Ms. Kanika Agnihotri, Adv.
Mr. Vaibhav, Adv.
Ms. Kavita Wadia,Adv.

For Respondent(s) Mr. D.N. Goburdhan,Adv.
Mr. Shivkant Arora, Adv.
Mr. Prabal Bagchi, Adv.
Ms. Kartika Sharma, Adv.

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

The learned counsel appearing for the second respondent stated that his client has taken a mortgage loan from respondent No.5 and has commenced construction. He confirmed that the construction will be subject to the final decision in the suit and the second respondent will not claim any equities merely because the temporary injunction has been vacated and it is permitted to proceed with the construction.

.....2.

Learned counsel for the second respondent also states that except the mortgage which has already been created with the fifth respondent, respondent No.2 will not alienate the property. In view of the said submissions, we find no reason to interfere with the impugned order of the High Court. Delay condoned. Special leave petition is disposed of with a request to the trial Court to dispose of the suit expeditiously.

(Ravi P. Verma)
AR-cum-PS

(M.S. Negi)
Court Master