

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).18319/2006
(From the judgement and order dated 05/10/2006 in CA No.825/2006 in Appeal
from AAO No. 624/2006 of The HIGH COURT OF BOMBAY)

YOGESH MEHTA & ORS.

Petitioner(s)

VERSUS

GOPALDAS HARGOVINDAS GANDHI & ORS.

Respondent(s)

(With appln(s) for permission to file additional documents,
directions, prayer for interim relief and office report)

Date: 10/03/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. Arvind V. Savant, Sr. Adv.
Mr. Sanjay V. Kharde, Adv.
Mr. Arvind Avhad, Adv.
Ms. Chandan Ramamurthi, Adv.

For Respondent(s)/ Mr. R.F. Nariman, Sr. Adv.
Mr. P. Venugopal, Adv.
Mr. Mahender Gilani, Adv.
Ms. Sonal Dhoshi, Adv.
Ms. Surekha Raman, Adv.
Ms. Jhuma Bose, Adv.
Mr. Dileep Poolakkot, Adv.
for M/s. K.J. John & Co., Adv.
Ms. Asha Gopalan Nair, Adv.

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the parties.

Leave granted.

The civil appeal is allowed.

[T.I. Rajput]

[Radha R. Bhatia]

A.R.-cum-P.S.

Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1871 OF 2008
(Arising out of S.L.P. (C) No.18319 of 2006)

Yogesh Mehta and Ors.

...Appellant(s)

Versus

Gopaldas Hargovindas Gandhi and Ors.

...Respondent(s)

O R D E R

Heard learned counsel for the parties.
Leave granted.

In the facts and circumstances of the case, we are of the view that, Charity Application No.6 of 2006, pending before the City Civil Court, Mumbai, should be disposed of with utmost expedition and till the disposal of the same, the interim order passed by this Court on 20 th November, 2006, should continue to operate and the appellants herein should be directed not to create any third party interest in the property in question.

Accordingly, the Trial Court is directed to dispose of the aforesaid case within a period of six months from the date of receipt/production of copy of this order. So long as the said application is not disposed of, the interim order passed by this Court on 20th November, 2006, shall continue to operate and the appellants herein are directed not to create any third party interest in the property in question.

The civil appeal is, accordingly, allowed.

.....J.
[B.N. AGRAWAL]

.....J.
[G.S. SINGHVI]

New Delhi,
March 10, 2008.