

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (C) NO. 14905 OF 2006

HARPAL SINGH
ONER

.....PETITI

VERSUS

GOJER BROTHERS PVT. LTD. & ORS.
ENTS

.....RESPOND

With

W.P.(C) No. 438/2006

W.P.(C) D.23779/2006

S.L.P.(C) No. 18628/2006

O R D E R

S.L.P.(C) No. 14905/2006

This petition is directed against the impugned order dated 2.8.2006 passed by the High Court of Calcutta. Having heard learned senior counsel for the parties, we are of the opinion that the impugned order does not require any interference by this Court. Hence, the Special Leave Petition is dismissed. However, because of the interim orders passed by this Court on 5.9.2006 and 8.9.2006 in favour of both the parties, we direct that both the parties who are said to be in possession of the premises in question may continue in possession for a further period of 45 days from today subject to any other orders that may be passed by the Calcutta High Court or

by any other competent authority in accordance with law.

Learned counsel for the State of West Bengal submits that the

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acquisition proceedings are complete and only award has to be published. This order will not prejudice the acquisition proceedings which have already been carried out by the State of West Bengal.

W.P.(C) No. 438/206, W.P.(C) D23779/2006, S.L.P.(C) No. 18628/2006

Learned counsel for the petitioners seeks leave of the Court to withdraw the Writ Petitions and Special Leave Petition. Writ Petitions and Special Leave Petition are, accordingly, dismissed as withdrawn.

.....J.

[A.K.MATHUR]

.....J.

[TARUN CHATTERJEE]

NEW DELHI

APRIL 26, 2007

ITEM NO.3

COURT NO.9

SECTION XVI

[NMD Case]

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).14905/2006

(From the judgement and order dated 02/08/2006 in CAN No.2044/2006 in SAT No. 2146/2004 of The HIGH COURT OF CALCUTTA)

HARPAL SINGH

Petitioner(s)

VERSUS

GOJER BROTHERS PVT. LTD. & ORS.

Respondent(s)

(With appln(s) for bringing on record additional documents and taking on record reply affidavit containing additional facts and with prayer for interim relief and office report) (for final disposal)

With W.P.(C) No.438/2006

(with appln.(s) for stay and amendment of the petition and office report) (for final disposal)

W.P.(C) No. D23779/2006

(with office report)

SLP(C) no.18628/2006

(with office report)

Date: 26/04/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. MATHUR

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s)

Mr. R.F. Nariman, Sr. Adv.

Mr. Jaideep Gupta, Sr. Adv.

Mr. B.K.Satiya, Adv.

Mr. Joy Basu, Adv.

Mr. Soumya Ghosh, Adv.

Mr. Rajeev Dhawan, Sr. Adv.

Mr. Sunil Kumar, Sr. Adv.

Mr. Abhijit Guha Roy, Adv.

Ms. Anita Kanungo, Adv.

Mr. Himanshu Shekhar, Adv.

For Respondent(s)

Mr. Rajeev Dhawan, Sr. Adv.

Mr. Sunil Kumar, Sr. Adv.

Mr. Abhijit Guha Roy, Adv.

Ms. Anita Kanungo, Adv.

Mr. Himanshu Shekhar, Adv.

Mr. Tara Chandra Sharma, Adv.

Miss Neelam Sharma, Adv.

Mr. Rajeev Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

S.L.P.(C) No. 14905/2006

Special Leave Petition is dismissed in terms of signed order.

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W.P.(C) 438, D23779 of 2006 & S.L.P.(C) 18628/2006

The petitions are dismissed as withdrawn in terms of signed order.

(Pardeep Kumar)

Court Master

(Radha R. Bhatia)

Court Master

[SIGNED ORDER IS PLACED ON THE FILE]