

SECTION-IX  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 13446 OF 2016  
WITH PRAYER FOR INTERIM RELIEF

RAHEJA UNIVERSAL PVT. LTD. ....PETITIONER  
-VERSUS-  
B.E. BILLIOMORIA AND CO. LTD. ...RESPONDENT

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 13th May 2016, when the Court was pleased to pass the following Order:

"Issue notice. In the meanwhile, there shall be interim stay of the operation of the impugned order of the High Court. However, Mr. Basant R., learned senior counsel appearing for the caveator/respondent submits that the machinery belonging to the sole caveator/respondent is lying at the site within the control of the petitioner, therefore, the respondent may be permitted to remove its machinery.

Learned counsel for the petitioner does not object to the said prayer.

In the circumstances, the caveator/respondent is permitted to remove its machinery in the presence of some duly authorized person on behalf of the petitioner after taking note of appropriate inventory. This is without prejudice to the rights and claims of the respondent."

Thereafter, the matter above mentioned was listed before the Court of Registrar on 14th September, 2016, when the following Order was passed:

"The office report is that the sole respondent has already filed the counter affidavit. Viewed thus, the matter shall be processed for listing before the Hon'ble Court under the rules. "

It is submitted for the information of the Hon'ble Court that there is sole respondent in the instant matter. Mr. P. I. Jose, Advocate has filed vakalatnama/appearance and counter-affidavit on behalf of the sole Caveator/respondent. Counter-affidavit has been included in the paper-books.

It is further submitted that counsel for the petitioner has on 21.11.2016 filed rejoinder affidavit with the permission of the Court and the same is being circulated before the Hon'ble Court.

Service of notice is complete.

The matter above mentioned is listed before the Hon'ble Court with this report.

Dated this the 23rd day of November, 2016.

ASSISTANT REGISTRAR

Copy to:

Mr. Punit D. Tyagi, Advocate

Mr. P. I. Jose, Advocate

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ASSISTANT REGISTRAR