

OUT-TODAY

ITEM NO.16

COURT NO.4

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).4657/2019

(Arising out of impugned final judgment and order dated 15-02-2019 in MC No. 190/2019 passed by the Court of learned Special Additional Chief Judicial Magistrate, Ernakulam, Kerala)

HARLEY CARMBEL INDIA PVT LTD & ORS.

Petitioner(s)

VERSUS

M/S FEDERAL BANK LTD

Respondent(s)

(FOR ADMISSION and I.R. and IA No.79969/2019-PERMISSION TO FILE LENGTHY LIST OF DATES and IA No.79964/2019-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 13-05-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE SANJIV KHANNA
(VACATION BENCH)

For Petitioner(s)

Mr. Sunil Kumar, Sr.Adv.
Mr. Hiren Dasan, AOR
Mr. Uday Gupta, Adv.
Mr. Harish Dasan, Adv.
Mr. Suwendu S. Dash, Adv.
Mr. Chand Qureshi, Adv.

For Respondent(s)

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

Heard learned senior counsel appearing on behalf of the petitioners.

It prima facie appears that there are conflicting decisions of different High Courts with regard to the jurisdiction of the Chief Judicial Magistrate under Section 14 of the SARFAESI Act.

Leave granted.

There will be an interim order for a period of seven weeks, restraining the respondent from dispossessing the petitioners from the property in question. The petitioners are also restrained from transferring, encumbering or creating any third party right in respect of the property in question.

Let this appeal be tagged along with Special Leave Petition(Civil) No. 4665 of 2016.

List after the summer vacation, 2019.

(SUKHBIR PAUL KAUR)
AR CUM PS

(RAJ RANI NEGI)
ASSISTANT REGISTRAR