

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.5 OF 2012

SURENDRA PAPER MART & ORS. ... PETITIONER(S)

VS.

UNION OF INDIA & ORS. ... RESPONDENT(S)

O R D E R

The learned counsel appearing for the petitioners has fairly submitted that the respondent-Bank is a Multi-State Cooperative Bank.

In the circumstances, he seeks permission to withdraw the writ petition.

Permission is granted.

The writ petition stands disposed of as withdrawn.

Ad-interim relief, if any, granted earlier shall stand vacated.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
7th April, 2015.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.7 OF 2013

M/S. RIGHT OUTDOOR SIGN PVT. LTD.
& ORS.

...PETITIONER(S)

VS.

UNION OF INDIA & ORS.

...RESPONDENT(S)

O R D E R

The learned counsel appearing for the petitioners has submitted that the petitioners and the respondent- creditor(s) had entered into an agreement with regard to an arbitration and the Award made by the Arbitrator has already been challenged by filing an appeal.

In view of the above development, the writ petition does not survive, which is accordingly disposed of. Interim relief, if any, stands vacated.

In view of the disposal of the writ petition,
the pending application(s), if any, shall also
stand disposed of.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
7th April, 2015.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.208 OF 2014

RAMKRUSHNAJI SHANKARRAOJI UMATE ... PETITIONER(S)

VS.

UNION OF INDIA & ORS. ... RESPONDENT(S)

O R D E R

Taken on board.

The matter was notified for hearing on 26th March, 2015 when the writ petition was disposed of. Upon being mentioned by the learned counsel for the petitioner, the order dated 26th March, 2015 is recalled. The order shall be read as :

"None appears for the respondent, though served.

The petitioner is a member of Indira Sahakari Soot Girni Maryadit, Wardha, who is Respondent No.3 herein (instead of : one of the sugar factories), which had borrowed money from the respondent- Cooperative Bank. The sugar factory has already filed Dispute No.473/2013 (instead of : Dispute No.413/2013) on 24th October, 2012 in Cooperative Court at Nagpur, which is pending.

Looking at the facts of the case, the Cooperative Court is directed to dispose of the pending suit preferably within six months from the date of getting intimation of this order. We are sure that the learned advocates appearing before the Court shall extend their

cooperation to the Court so that the suit can be disposed of as soon as possible.

The writ petition stands disposed of accordingly. Ad-interim relief granted earlier shall continue till the Dispute No.473/2013 (instead of : Dispute No.413/2013) is decided. The question of law is kept open."

The order dated 26th March, 2015 stands modified as above.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
7th April, 2015.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.460 OF 2012

MRS. ANJU SUNIL BABLANI & ORS. ... PETITIONER(S)

VS.

UNION OF INDIA & ORS. ... RESPONDENT(S)

O R D E R

The learned counsel appearing for the petitioners has submitted that the petitioners and the respondent-creditor(s) had entered into an agreement with regard to arbitration in pursuance of the said arbitration proceedings an Award had been made and against the said Award, an appeal has already been filed by the petitioners.

In view of the above development, the writ petition does not survive, which is accordingly disposed of.

In view of the disposal of the writ petition, the pending application, if any, also stands disposed of.

Interim relief, if any, stands vacated.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
7th April, 2015.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.461 OF 2012

MR. SUNIL SACHU BABLANI & ORS. ... PETITIONER(S)

VS.

UNION OF INDIA & ORS. ... RESPONDENT(S)

O R D E R

The learned counsel appearing for the petitioners has submitted that the petitioners and the respondent-creditor(s) had entered into an agreement of arbitration and an Award had already been made; and against the said Award, an appeal has already been filed by the petitioners.

In view of the above development, the writ petition does not survive, which is accordingly disposed of.

In view of the disposal of the writ petition, the pending application, if any, stands disposed of.

Interim relief, if any, stands vacated.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
7th April, 2015.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.868 OF 2013

SMIT. SIVAKAMI BALASUBRAMANIAM ... PETITIONER(S)

VS.

ABHYUDAYA CO-OP. BANK LTD. & ORS. ... RESPONDENT(S)

O R D E R

Nobody is present for the petitioner.

It has been submitted by the learned counsel appearing for the respondent-Bank that the Bank is a Multi-State Cooperative Bank.

In the circumstances, the writ Petition does not survive and it is disposed of accordingly. Interim relief stands vacated.

It would be open to the petitioners to take appropriate action in accordance with law for challenging the validity of the impugned order.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
7th April, 2015.

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

INTERLOCUTORY APPLICATION NO.3

(For directions)

IN

WRIT PETITION (C) NO.965 OF 2014

M/S. RADIANCE PROPERTIES (INDIA)
LTD. & ORS.

... PETITIONER(S)

VS.

UNION OF INDIA & ORS.

... RESPONDENT(S)

J U D G M E N T

ANIL R. DAVE, J.

1. Ad-interim relief granted earlier has come to an end as the amount payable as per an interim order has not been paid so far.

2. On behalf of the petitioners it has been submitted that the petitioners desire to sell Plot No.B2, Sector-8 and Plot No.64/64A, Ulwe, Navi Mumbai, in favour of somebody, who is prepared to offer Rs.30 crores or the market value, which might be more than what might be offered by an auction purchaser at the time of an auction. If so, the petitioner may enter into a tripartite agreement with the Bank and the buyer so that the one who is intending to purchase the property, can

make payment to the Bank directly and the amount so paid by the buyer may be adjusted by the Bank towards the dues of the petitioners.

3. The learned counsel appearing for the Bank has agreed to the aforesaid arrangement, provided the buyer and the petitioners approach the Bank before the date when the auction is to be held.

4. Needless to say that if the amount realised by the Bank from disposal/sale of the afore-stated two properties is not sufficient, it would be open to the Bank to take appropriate action in accordance with law for disposal of other properties for realising the dues. While disposing of other properties also, the afore-stated methodology be followed.

5. In view of the above directions, the petition stands disposed of.

6. In view of the disposal of the writ petition, the pending application(s) also stand disposed of.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
7th April, 2015.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. 411 OF 2011

M/S BHAGRA RESORTS PVT. LTD. & ORS. PETITIONER(s)

VERSUS

UNION OF INDIA & ORS. RESPONDENT(s)

O R D E R

The learned counsel for the petitioners seeks leave to withdraw this Writ Petition.

Permission is granted.

The Writ Petition is, accordingly, dismissed as withdrawn.

Ad-interim relief granted earlier stands vacated.

However, the question of law is kept open.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
April 07, 2015.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. 120 OF 2014

SH. JITENDRA KESURDAS SHAH

PETITIONER(s)

VERSUS

SANGLI URBAN CO-OPERATIVE BANK LTD
& ORS.

RESPONDENT(s)

O R D E R

The learned counsel for the petitioner seeks
leave to withdraw this Writ Petition.

Permission is granted.

The Writ Petition is, accordingly, dismissed as
withdrawn.

Ad-interim relief granted earlier stands
vacated.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
April 07, 2015.

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE/ORIGINAL JURISDICTION

CIVIL APPEAL NO. 3734 OF 2015

[@ SPECIAL LEAVE PETITION (C) NO. 15507 of 2013]

SHRI ANILRAO KALAJERAO BABAR Appellant (s)

VERSUS

SANGLI DISTRICT CENTRAL COOPERATIVE
BANK LTD., SANGLI & ORS. Respondent(s)

WITH

CONTEMPT PETITION (C) NO. 320 OF 2013

IN

CIVIL APPEAL NO. 3734 OF 2015

[@ SPECIAL LEAVE PETITION (C) NO. 15507 of 2013]

J U D G M E N T

SPECIAL LEAVE PETITION (C) NO. 15507 of 2013

Leave granted.

Heard the learned counsel appearing for the parties.

Upon hearing the learned counsel for the parties, we find that the disputed questions of fact are involved in this matter and it would be just and proper if the appellant and Respondent Nos. 5-18 approach the Debts Recovery Tribunal for ventilating the grievance of Yashwant Sahakari Sakhar Karkhana

Ltd., of which the appellant and Respondent Nos. 5-18 are the members.

Ad-interim relief which has been granted by this Court shall remain in force for six weeks from today.

If the appellant and Respondent Nos. 5-18 approach the Debts Recovery Tribunal within two weeks from today, the DRT shall not raise any question with regard to the limitation and shall entertain the proceedings in accordance with law.

The application for interim relief, if any, may be filed before the Debts Recovery Tribunal within two weeks from today and, if filed, the same shall be decided by the Tribunal within four weeks from the date of its filing.

The Tribunal shall decide the proceedings without being influenced by any of the observations made by the High Court or by the fact that ad-interim relief was granted by this Court at an earlier point of time.

With the above observations and directions, the Civil Appeal is disposed of with no order as to costs.

The question of law is kept open.

The parties shall be at liberty to raise all contentions before the Debts Recovery Tribunal.

CONTEMPT PETITION (C) NO. 320 OF 2013 IN CIVIL APPEAL
NO. 3734 OF 2015 [@ SPECIAL LEAVE PETITION (C) NO.
15507 of 2013]

In view of the order passed by us today in Civil Appeal arising out of SLP (C) 15507 of 2013, no further orders need be passed in the Contempt Petition and it is, accordingly, disposed of.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
April 07, 2015.

REVISED

ITEM NO.101 COURT NO.3 SECTION IX, X, IVA, XIV, XIA

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

Civil Appeal No(s). 5674/2009

PANDURANG GANPATI CHAUGULE

Appellant(s)

VERSUS

VISHWASRAO PATIL MURGUD SAHAKARI BANK L.

Respondent(s)

WITH

CONMT.PET.(C) NO. 320/2013 IN SLP(C) NO. 15507/2013 (S. IX), SLP(C) NO. 25930/2009 (S. IX) (DIRECTIONS AND INTERIM RELIEF AND OFFICE REPORT), W.P.(C)NO. 48/2012 (S. X) (AMENDMENT OF THE PETITION AND STAY AND OFFICE REPORT), W.P.(C)NO. 461/2012 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), SLP(C) NO. 15507/2013 (S.IX) (WITH APPLN. (S) FOR DIRECTIONS AND EXEMPTION FROM FILING O.T. AND IMPLEADMENT AND INTERIM RELIEF AND PERMISSION TO FILE ADDITIONAL DOCUMENTS AND VACATING STAY AND OFFICE REPORT), W.P.(C) NO. 922/2013 (S. X) (DIRECTIONS AND PERMISSION TO FILE ADDITIONAL DOCUMENTS AND OFFICE REPORT), W.P.(C) NO. 1007/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 120/2014 (S. X) (IMPLEADMENT AND STAY AND VACATING INTERIM RELIEF AND OFFICE REPORT), W.P.(C) NO. 142/2014 (S. X) (EX-PARTE STAY AND OFFICE REPORT), W.P.(C)NO. 168/2014 (S. X) (STAY AND VACATING STAY AND OFFICE REPORT) , W.P.(C) NO. 169/2014 (S. X) (STAY AND VACATING STAY AND OFFICE REPORT), W.P.(C) NO. 421/2014 (S. X) (STAY AND VACATING STAY AND OFFICE REPORT), W.P.(C) NO. 1020/2014 (S. X) (DIRECTIONS AND OFFICE REPORT), C.A. NO. 5675/2009 (S. IX) (INTERIM RELIEF AND OFFICE REPORT), C.A. NO. 5681/2009 (S.IX) (OFFICE REPORT), C.A. NO. 5682/2009 (S. IX) (INTERIM RELIEF AND OFFICE REPORT), C.A. NO. 5684/2009 (S. IX) (DIRECTIONS AND INTERIM RELIEF), W.P.(C) NO. 318/2010 (S. X) (STAY AND OFFICE REPORT), C.A. NO. 1468/2010 (S. IV) (EXEMPTION FROM FILING O.T. AND VACATING STAY), C.A.NO. 4391/2010 (S. XIA) (PERMISSION TO FILE COUNTER AFFIDAVIT AND OFFICE REPORT), C.A. NO. 7410/2010 (S. IX) , SLP(C) NO. 24309/2010 (S. IX), W.P.(C) NO. 41/2011 (S. X) (STAY AND VACATING STAY AND OFFICE REPORT), W.P.(C) NO. 220/2011 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 293/2011 (S.X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 306/2011 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 308/2011 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT) ,W.P.(C) NO. 338/2011 (S. X) (STAY AND OFFICE REPORT) , W.P.(C) NO. 375/2011 (S. X) (STAY AND OFFICE REPORT) , W.P.(C) NO. 411/2011 (S. X) (STAY AND OFFICE REPORT), SLP(C) NO. 7295-7298/2011 (S.IVA) (OFFICE REPORT), SLP(C) NO.

22304-22305/2011 (S. IX) (EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND OFFICE REPORT) , SLP(C) NO. 24479-24480/2011 (S. IX) (INTERIM RELIEF AND OFFICE REPORT), W.P.(C) NO. 5/2012 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 97/2012 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 103/2012 (S.X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 122/2012 (S. X) (STAY AND VACATING STAY AND OFFICE REPORT), W.P.(C) NO. 199/2012 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 250/2012 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 291/2012 (S. X) (WITH OFFICE REPORT), W.P.(C) NO. 386/2012 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 460/2012 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 487/2012 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 537/2012 (S. X) (PERMISSION TO FILE ADDITIONAL DOCUMENTS AND STAY AND OFFICE REPORT), W.P.(C) NO. 554/2012 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), SLP(C) NO. 24276/2012 (S.IVA) (INTERIM RELIEF AND OFFICE REPORT), SLP(C) NO. 30568/2012 (S. IX) (INTERIM RELIEF AND OFFICE REPORT), W.P.(C) NO. 7/2013 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 36/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 111/2013 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 112/2013 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 138/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 146/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 151/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 175/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 179/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 181/2013 (S.X) (STAY AND OFFICE REPORT), W.P.(C) NO. 191/2013 (S. X) (DIRECTIONS AND STAY AND VACATION OF EX-PARTE STAY AND OFFICE REPORT), W.P.(C) NO. 192/2013 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 201/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 233/2013 (S.X) (STAY AND SUBSTITUTION OF RESPONDENT AND OFFICE REPORT), W.P.(C) NO. 236/2013 (S. X) (STAY AND SUBSTITUTION OF RESPONDENT AND OFFICE REPORT), W.P.(C) NO. 238/2013 (S. X) (STAY AND SUBSTITUTION OF RESPONDENT AND OFFICE REPORT), W.P.(C) NO. 248/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 250/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 253/2013 (S. X) (STAY AND VACATING STAY AND OFFICE REPORT), W.P.(C) NO. 264/2013 (S. X) (IMPLEADMENT AND STAY AND OFFICE REPORT), W.P.(C) NO. 265/2013 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 266/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 270/2013 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 271/2013 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 279/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 280/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 284/2013 (S. X) (IMPLEADMENT AND STAY AND OFFICE REPORT), W.P.(C) NO. 353/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 452/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 469/2013 (S. X) (OFFICE REPORT), W.P.(C) NO. 588/2013 (S. X) (IMPLEADMENT AND IMPLEADMENT AS PARTY RESPONDENT AND STAY AND OFFICE REPORT), W.P.(C) NO. 753/2013 (S.X) (STAY AND OFFICE REPORT), W.P.(C) NO. 758/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 761/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO.

762/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 800/2013 (S. X) (DIRECTIONS AND OFFICE REPORT), W.P.(C) NO. 819/2013 (S.X) (STAY AND OFFICE REPORT), W.P.(C) NO. 868/2013 (S. X) (DIRECTIONS AND INTERIM DIRECTIONS AND VACATING STAY), W.P.(C) NO. 877/2013 (S. X) (DIRECTIONS AND OFFICE REPORT), W.P.(C) NO.1037/2013 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 1043/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 1044/2013 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 1045/2013 (S. X) (STAY AND OFFICE REPORT), SLP(C) NO. 12916/2013 (S. XIA) (INTERIM RELIEF AND OFFICE REPORT), SLP(C) NO. 15634-15635/2013 (S. IVA) (C/DELAY IN FILING SLP AND OFFICE REPORT), SLP(C) NO. 17054/2013 (S. IX) (INTERIM RELIEF AND OFFICE REPORT), SLP(C) NO. 18775/2013 (S.IX) (INTERIM RELIEF AND OFFICE REPORT), SLP(C) NO. 18777/2013 (S. IX) (INTERIM RELIEF AND OFFICE REPORT), SLP(C) NO. 25126/2013 (S. IX) (INTERIM RELIEF), SLP(C) NO. 29720/2013 (S. IX) (OFFICE REPORT), SLP(C) NO. 29721/2013 (S. IX) (OFFICE REPORT), SLP(C) NO. 35137/2013 (S. IX) (INTERIM RELIEF AND OFFICE REPORT), W.P.(C) NO. 5/2014 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 10/2014 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 33/2014 (S. X) (IMPLEADMENT AND STAY AND OFFICE REPORT), W.P.(C) NO. 352/2014 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), W.P.(C) NO. 408/2014 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 420/2014 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 492/2014 (S. X) (EXEMPTION FROM FILING O.T. AND STAY AND OFFICE REPORT), W.P.(C) NO. 712/2014 (S. X) (STAY AND VACATING STAY AND OFFICE REPORT), W.P.(C) NO. 714/2014 (S.X) (STAY AND VACATING STAY), W.P.(C) NO. 754/2014 (S. X) (EXEMPTION FROM FILING O.T. AND STAY AND OFFICE REPORT), W.P.(C) NO. 756/2014 (S. X) (DIRECTIONS AND STAY AND OFFICE REPORT), S.L.P.(C)... /2014 CC NO. 7586 (S. IVA) (C/DELAY IN FILING SLP AND OFFICE REPORT), W.P.(C) NO.795/2014 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 849/2014 (S. X) (EX-PARTE STAY AND VACATING INTERIM ORDER AND OFFICE REPORT), W.P.(C) NO. 838/2014 (S. X) (STAY AND VACATING INTERIM ORDER AND OFFICE REPORT), W.P.(C) NO. 827/2014 (S. X) (EX-PARTE STAY AND OFFICE REPORT), SLP(C) NO. 32589/2014 (S. XIV) (EXEMPTION FROM FILING O.T.), W.P.(C) NO. 26/2015 (S. X) (STAY AND OFFICE REPORT), W.P.(C) NO. 79/2015 (S. X) (OFFICE REPORT), W.P.(C) NO. 131/2015 (S. X) (STAY AND OFFICE REPORT)

Date : 07/04/2015 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE KURIAN JOSEPH

For Appellant(s) Mr. Santosh,Adv.
Mr. M. Khairati,Adv.
For Mr. Gaurav Agrawal,Adv.

Mr. Nikhil Nayyar,Adv.
Mr. Dhananjay Baijal, Adv.
Ms. Akanksha, Adv.
Mr. N. Sai Vinod, Adv.

Mr. Nishad L.S., Adv.

Mr. Nagendra Rai, Sr. Adv.
Ms. Priya Hingorani, Adv.
Mr. Chandra Bhushan, Adv.

Mr. Manoj K. Mishra, Adv.
Mr. Bheem Pratap Singh, Adv.
Mr. Sandeep Kumar Dwivedi, Adv.
Mr. Pradeep Kumar Dwivedi, Adv.
Ms. Rinku Mishra, Adv.

Mr. S. R. Singh, Sr. Adv.
Mr. D. N. Dubey, Adv.
Mr. Ujjawal Pandey, Adv.
Ms. Vandita Rai, Adv.
For Asha Gopalan Nair, Adv.

Mr. Dhruv Mehta, Sr. Adv.
Mr. Darshan Siras, Adv.
Mr. Satyajit A. Desai, Adv.
Mr. Akash Kakade, Adv.
For Ms. Anagha Desai, Adv.
Mr. Devansh A. Mohta, Adv.
Mr. Rajat Sehgal, Adv.
Ms. Anushri Menon, Adv.
Mr. Shishir Deshpande, Adv.
Mr. Amit Yadav, Adv.
For Ms. Sujata Kurdukar, Adv.

Mr. S. Wasim A. Qadri, Adv.
Mr. J. A. Khan, Adv.
Mr. Zaid Ali, Adv.
Mr. T. Qadri, Adv.

Mr. Sunil Kumar Verma, Adv.

Ms. Chandan Ramamurthi, Adv.

Mr. Ajit K. Sinha, Sr. Adv.
Mr. R. Sudhinder, Adv.
Mr. Dattatray Vyas, Adv.
Ms. Prerna Amitabh, Adv.
Mr. Abhishek Prasad, Adv.
Mr. Ashok Mathur, Adv.

Mr. T. N. Singh, Adv.
Mr. Randhir Kumar, Adv.

Mr. Tarkeshwar Nath,Adv.
For Mr. R.P. Goyal,Adv.

Mr. Saurabh Devkaran Singh,Adv.
For Mr. Jayant K. Mehta,Adv.
Ms. Madhavi Khare, Adv.

Mr. K.L. Taneja,Adv.

Ms. Purti M.,Adv.
For Mr. A. Venayagam Balan,Adv.

Mr. Manohar Lal Sharma, Adv.
Ms. Suman, Adv.

Mr. Pradhuman Gohil,Adv.
Mr. Vikash Singh,Adv.
Ms. Taruna Singh,Adv.
Mr. Jaikriti S. Jadeja,Adv.
Ms. Charu Mathur,Adv.
Ms. Prabuddha Sharma, Adv.

Mr. Chirag M. Shroff,Adv.
Mr. Jitendra Ranawat,Adv.
Ms. Mahima Shroff,Adv.
Ms. Swati Vaibhav,Adv.
Mr. Vikash Sinha,Adv.

Mr. Satpal Singh,Adv.
Mr. A.S. Chobe,Adv.
Mr. P.K. Singh,Adv.

Mr. Vijay Kumar,Adv.

Mr. Rabin Majumder,Adv.
Mr. S. Sadasiva Reddy,Adv.
For Ms. S. Usha Reddy,Adv.

Mr. K. V. Vishwanathan, Sr. Adv.
Mr. P.K. Manohar,Adv.

Mr. Jayanth Muth Raj,Adv.
Ms. Malavika J.,Adv.
Mr. Sureshan P.,Adv.

Mr. Vishwajit Singh,Adv.

Mr. H. Chandra Sekhar,Adv.

Mr. Santhosh Krishnan,Adv.

Mr. Marsook Bafaki, Adv.
For Mr. Nikhil Goel, Adv.

Mr. Jatin Zaveri, Adv.
Mr. Neel Kamal Mishra, Adv.

Mr. Ranjan Sabharwal, Adv.
Mr. Raghav Sabharwal, Adv.
For Mr. Bankey Bihari Sharma, Adv.

Ms. Ankita Jain, Adv.
Ms. Amrita Mishra, Adv.
Mr. Ravi Mishra, Adv.
For Mr. Jay Savla, Adv.

Mr. Lakshmi Raman Singh, Adv.

Mr. Sarad Kumar Singhania, Adv.

Mr. Santosh Paul, Adv.
Mr. Arvind Gupta, Adv.
Mr. Krishna Kumar, Adv.
Mr. Harish Pandey, Adv.
Mr. Sheen, Adv.
Mr. Shubham Agarwal, Adv.

Mr. N.D.B. Raju, Adv.
For Mr. N. Ganpathy, Adv.

Mr. S. Ravi Shankar, Adv.
Ms. Sangeeta Singh, Adv.

Mr. Amar Dave, Adv.
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Mr. K. Rajeev, Adv .

Mr. Mohit Kumar Shah, Adv.

M/s. Dua Associates, Advs.

Ms. Bharati Tyagi, Adv.

Mr. Anil Kumar Sangal, Adv.

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

W.P.(C)NO. 48 of 2012

List on 09.04.2015 along with SLP (C) 9102 of 2013, SLP (C) No. 9979 of 2013 and SLP (C) No. 10476 of 2013.

W.P.(C) NO. 411 of 2011

The Writ Petition is dismissed as withdrawn in terms of the signed order.

W.P.(C) NO. 33 of 2014

De-tagged.

List on 09.04.2015.

W.P.(C) NO. 120 of 2014

The Writ Petition is dismissed as withdrawn in terms of the signed order.

SLP (C) 15507 of 2013

Application for impleadment is rejected.

Leave granted.

The Civil Appeal is disposed of in terms of the signed order.

Contempt Petition (C) 320 of 2013 in Civil Appeal No. 3734 of 2015 (@ SLP (C) 15507 of 2013)

In view of the order passed by us today in Civil Appeal arising out of SLP (C) 15507 of 2013, no further orders need be passed in the Contempt Petition and it is, accordingly, disposed

of.

WRIT PETITION (C) NO.5 OF 2012

The Writ Petition is disposed of as withdrawn in terms of the signed order.

Writ Petition (C) No. 208 of 2014

Taken on board.

The order dated 26.03.2015 is modified in terms of the signed order.

I.A.No. 3 in Writ Petition (C) No. 965 of 2014

The interlocutory application and the writ petition are disposed of in terms of the signed non-reportable Judgment.

Writ Petition (C) No. 461 of 2012

The Writ Petition is disposed of in terms of the signed order.

Writ Petition (C) No. 460 of 2012

The Writ Petition is disposed of in terms of the signed order.

Writ Petition (C) No. 7 of 2013

The Writ Petition is disposed of in terms of the signed order.

Writ Petition (C) No. 868 of 2013

The Writ Petition is disposed of in terms of the signed order.

SPECIAL LEAVE PETITION (C) NO.30568 OF 2012 :

Substitution allowed.

The learned counsel appearing for the petitioners has fairly submitted that the respondent-Bank is a Multi-State Cooperative Bank.

In the circumstances, the Special Leave Petition does not survive and it is disposed of accordingly.

It would be open to the petitioners to take appropriate action in accordance with law for challenging the validity of the impugned order.

Interim relief, if any, granted earlier stands vacated.

I.A.No.2 In S.L.P.(C) NO.35137 OF 2013 :

Order dated 18th February, 2015 is hereby recalled in respect of this special leave petition only. I.A.No.2 for recall/modification stands disposed of accordingly.

As a consequence of the afore-stated order, the order dated 11th November, 2013 shall remain in force.

List the matter tomorrow, i.e., 8th April, 2015, along with C.A.No.5674 of 2009 and batch.

I.A.NO.2 IN WRIT PETITION (C) NO.79 OF 2015 :

By an order dated 18th February, 2015, the ad-interim relief granted earlier had been modified to the effect that the petitioner had to pay 25% of the amount payable as on 1st January, 2015 as calculated by the Respondent-Bank within six weeks from 18th February, 2015 and further 25% of the amount

within six weeks thereafter.

On the afore-stated condition, the ad-interim relief had been granted to the petitioner, whereby the respondent-Creditor Bank had been restrained from taking further coercive action under the provisions of the The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI ACT).

It has been fairly submitted by the learned counsel appearing for the respondents that through oversight the petitioner was not informed about the amount which had become due and payable as on 1st January, 2015.

It has been further submitted today that as on 1st January, 2015, the petitioner was liable to pay a sum of Rs.4,58,65,756/- (Rupees Four Crores Fifty Eight lakhs Sixty Five thousand Seven Hundred Fifty Six only), including interest which was payable till 31st December, 2014.

As the petitioner had not been informed about the amount which had been payable and as the intimation of the same has been given today, the petitioner shall pay 25% of the afore-stated amount within six weeks from today and a further 25% of the said amount within six weeks thereafter.

On the aforesaid conditions, the ad-interim relief which had been granted earlier, shall continue and if the amount is

not paid within the stipulated period, the ad-interim relief shall stand vacated without further reference to this Court.

The learned counsel appearing for the respondent-Bank shall also provide details of the calculation as to how the afore-stated amount has been arrived at.

I.A.No.2 for directions stands disposed of.

List the matter on 8th April, 2015, along with C.A.No.5674 of 2009 and batch.

WP(C) Nos.233, 236 and 238 of 2013 :

Substitution allowed.

List the matters on 09.04.2015 at 10.30 AM (for whole day).

(Jayant Kumar Arora)
Sr. P.A.

(Sneh Bala Mehra)
Assistant Registrar

(Record of Proceedings in SLP (C) 25126 of 2013 and Civil Appeal No. 2440 of 2011 are issued separately)

(9 signed orders and 1 non-reportable Judgment are placed on the file)