

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 3313-3314 OF 2020  
(Arising out of SLP(C) Nos. 6517-6518 of 2020)

M/S SRI DEVI HOSPITAL

Appellant (s)

VERSUS

ASSET RECONSTRUCTION COMPANY  
INDIA LTD. & ORS.

Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

For the nature of order that we propose to pass, it is unnecessary to dilate on the factual matrix of the case.

Suffice it to observe that the Single Judge of the High Court after due consideration of all aspects was persuaded to grant interim relief to the appellant-plaintiff. If the Division Bench of the High Court vide impugned judgment and order, intended to interdict to that relief should have recorded some reason and also dealt with the reasons already noted by the Single Judge

for grant of such relief to the appellant.

In the circumstances, we set aside the impugned judgment.

In other words, the interim protection granted by the learned Single Judge of the High Court will enure to the appellant until the disposal of the appeal pending before the High Court or such order as may be passed at the interim stage by the Division Bench after giving opportunity to both sides.

All contentions available to the parties are left open.

We may not be understood to have expressed any opinion either way on the merits of the controversy.

Considering the nature of grievance made by the Respondent No.1-defendant No.1, it would be appropriate that the appeal pending before the High Court itself is disposed of finally expeditiously.

We request the Division Bench of the High Court to appropriately consider the request of respondent No.1 to dispose of the appeal preferably within three months from today.

The Civil Appeals are disposed of accordingly.

Pending applications, if any, stand disposed of.

.....J

(A.M. KHANWILKAR)

.....J

(B.R. GAVAI)

.....J

(KRISHNA MURARI)

New Delhi  
September 28, 2020



