

ITEM NO.62

COURT NO.9

SECTION XIV

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 (C) No(s). 13577/2014
(Arising out of impugned final judgment and order dated 18/09/2013
in CSOS No. 2405/2009 passed by the High Court Of Delhi at New
Delhi)

TODAY HOMES & INFRASTRUCTURE PVT LTD

Petitioner(s)

VERSUS

HARJYOT KAUR & ORS

Respondent(s)

(With interim relief and office report)

Date : 27/10/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Mr. Rahul Sharma, Adv.
Mr. P. N. Puri, A.O.R.

For Respondent(s) Mr. Dhruv Mehta, Sr. Adv.
Mr. Vikas Mehta, A.O.R.
Ms. Amrita Sanghi, Adv.

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

Heard Mr. Rahul Sharma, learned counsel for the
petitioner and Mr. Dhruv Mehta, learned senior
counsel for the respondents.

Mr. Dhruv Mehta has brought to our notice order
of the Registrar of the Delhi High Court dated 26th
September, 2014, which discloses that the
petitioner failed to comply with the condition of
immovable property security to the value of Rs.1.25

Crores as directed by our order dated 9th May, 2014, within the stipulated time.

In the circumstances, since by the impugned order, the High Court has only directed the petitioner to deposit 50 per cent of the suit claim which according to the learned senior counsel for the respondents works out to around Rs. 38,50,000/-, we vary our order dated 9th May, 2014. We now direct the petitioner to deposit a sum of Rs. 39 lakhs to the credit of Summary Suit No. 2405 of 2009 on the file of the High Court of Delhi within two weeks from today. Subject to compliance of the present modified condition, the benefit granted in the order dated 9th May, 2014 shall continue to operate pending disposal of the Suit. We only request the High Court to dispose of the Summary Suit early, preferably within a period of six months.

It is needless to emphasise that the benefit granted under this order will cease to operate if the petitioner fails to deposit the sum of Rs. 39 lakhs within a period of three weeks as stipulated in this order.

The Special Leave Petition is disposed of in
the above terms.

[KALYANI GUPTA]
COURT MASTER

[SHARDA KAPOOR]
COURT MASTER