

ITEM NO.MM-6A

COURT NO.6

SECTION IX

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 (Civil) No(s).10214/2012

(From the judgement and order  
of The HIGH COURT OF BOMBAY)

dated 19/03/2012 in WP No.490/2012

SADANAND SHANKAR MANE & ORS.

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T. and exemption from  
filing c/c of the impugned Judgment and with prayer for interim  
relief)

Date: 27/03/2012

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)

Mr.Sanjay Parikh, Adv.

Mr. Pukhrambam Ramesh Kumar, Adv.

Mr.B.Praveen, Adv.

For Respondent(s)

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

Taken on board.

This petition is directed against order dated 19.03.2012

of the Division Bench of the Bombay High Court whereby the  
petitioners' prayer for restraining the respondents from  
interfering with their possession over the property in question was  
rejected.

We have heard Shri Sanjay Parikh, learned counsel for the  
petitioners and carefully perused the record.

In our view, the special leave petition is liable to be

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dismissed because the petitioners have not approached the Court  
with clean hands inasmuch as while annexing as many as 24 documents  
running into about 120 pages, they have conveniently omitted to  
place on record copy of the L.C.Suit (St.) No.616 of 2012 filed on  
28.02.2012 and order dated 05.03.2012 passed by the City Civil  
Court refusing to grant an injunction and, thereby, deprived this

Court of an opportunity to consider the reasons which prevailed with the concerned Court for not entertaining the prayer of the petitioners.

We are further of the view that the reasons assigned by the High Court for declining the petitioners' prayer are legally correct and there is no valid ground much less justification for entertaining the prayer of the petitioners which, if granted, would adversely affect execution of a project which has been undertaken by the respondents in larger public interest.

The special leave petition is accordingly dismissed.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master