

ITEM NO.29

COURT NO.2

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). 17197/2017

(Arising out of impugned final judgment and order dated 22-02-2017 in CMM No. 203/2017 20-02-2017 in CMM No. 203/2017 passed by the High Court Of Delhi At New Delhi)

M/SKY TECHCONSTRUCTION PVT.LTD.

THROUGH AUTHORIZED REPRESENTATIVE

Petitioner(s)

VERSUS

SHYAM SUNDER TAPARIA

Respondent(s)

Date : 14-07-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Ms. Sakshi Kakkar, AOR

For Respondent(s)

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

It is submitted by Ms. Sakshi Kakkar, learned counsel appearing for the petitioner that though the decision rendered in HARSHAD CHIMANLAL MODI vs. DLF UNIVERSAL LTD. & ANR. [(2005) 7 SCC 791] was cited before the High Court yet it has not been considered by the High Court, especially paragraphs 34 and 37 of the said judgment.

In view of the aforesaid, we permit the petitioner to file an application for review before the High Court within four weeks hence. The High Court shall deal with the same by taking into consideration the aforesaid judgment.

In case the petitioner does not succeed in the review application, liberty is granted to challenge the order passed in review application as well as the main order.

With the aforesaid observation, the special leave petition stands disposed of.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master