

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 11188/2020

(Arising out of interim order dated 02-03-2020 in NOML No. 1372/2018 in Appeal No.574/2018 passed by the High Court of Judicature at Bombay)

GHATKOPAR PARIMAL COOPERATIVE HOUSING
SOCIETY LIMITED

Petitioner(s)

VERSUS

DHARMSHI D. BHANUSHALI & ORS.

Respondent(s)

(IA No. 93831/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENTIA No. 93832/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH SLP(C) No. 11602/2020

(FOR ADMISSION and I.R. and IA No.97673/2020-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT)

Date : 07-12-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER

HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) in SLP 11188/2020	Mr. Mukul Rohatgi, Sr. Adv. Mr. Pravin Samdani, Sr. Adv. Mr. Kunal Vajani, Adv. Mr. Kunal Mimani, AOR
in SLP 11602/2020	Mr. Aniruddha Joshi, Adv. Mr. Nivit Srivastava, Adv. Mr. Neil Mandevia, Adv. Mr. Aayush Agarwala, Adv. Mr. Anuj P. Agarwala, Adv. Mr. Pramod B. Agarwala, AOR
For Respondent(s) Nos.1-12	Mr. Shyam Divan, Sr. Adv. Ms. Misha Rohatgi, AOR Mr. Amogh Singh, Adv. Mr. Sushal Tiwari, Adv. Mr. Nakul Mohta, Adv. Mr. Mohit Prasad, Adv.

For Res.No.15

Mr. Aniruddha Joshi,Adv.
Mr. Nivit Srivastava,Adv.
Mr. Neil Mandevia,Adv.
Mr. Aayush Agarwala,Adv.
Mr. Anuj P.Agarwala,Adv.
Mr. Pramod B. Agarwala, AOR

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

S.L.P.(Civil)No.11188/2020

Mr. Shyam Divan, learned senior counsel who appears on behalf of the respondents submits that the appeal preferred by them is pending before the Division Bench of the High Court of Judicature at Bombay and that the impugned interim order was passed on Notice of Motion in the Appeal. He states that the parties are based in Mumbai and therefore the parties can approach the Mediation Centre attached to the High Court of Judicature at Mumbai for exploring the possibility of settlement.

Mr. Mukul Rohatgi, learned senior counsel who appears on behalf of the petitioner states that in view of the statement made by learned senior counsel for the respondents, they may be permitted to withdraw the petition. He however, requests that the appeal pending before the Bombay High Court may be disposed of expeditiously as the multi-storey building has decayed and is dilapidated and delay would cause serious prejudice to the petitioner.

Mr. Shyam Divan on instructions disputes the

statement that the multi-storey building is dilapidated, but has no objection to early decision on merits.

In view of the statements made by the learned senior counsel for the parties, we request the Hon'ble Chief Justice of the Bombay High Court to nominate a Bench for expeditious hearing of the appeal.

Recording the above, the special leave petition is dismissed as withdrawn.

This order and observations made in the impugned order will not be construed as binding and final finding while deciding the appeal or suit on merits.

S.L.P.(Civil)No.11602/2020

In view of the order passed in S.L.P.(Civil)No.11188 of 2020, this petition is disposed of as not pressed.

Pending application shall also stand disposed of.

(ANITA MALHOTRA)
COURT MASTER

(KAMLESH RAWAT)
COURT MASTER