

ITEM NO.15 Court 9 (Video Conferencing) SECTION XI

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). 12192/2020

(Arising out of impugned final judgment and order dated 09-09-2020 in FAFOD No. 428/2020 passed by the High Court of Judicature at Allahabad)

INTERNATIONAL SERVICE FELLOWSHIP USA Petitioner(s)

VERSUS

UNITED FELLOWSHIP FOR CHRISTIAN SERVICE
(UFCS INDIA) & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.104818/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.104820/2020-EXEMPTION FROM FILING O.T. and IA No.104819/2020-PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS and IA No.104817/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 28-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Dhruv Mehta, Sr. Adv.
 Mr. Jasmeet Singh, AOR
 Mr. Naman Joshi, Adv.
 Mr. Pramod Singh, Adv.
 Mr. Anmol Singh, Adv.
 Ms. Seema Joshi, Adv.
 Mr. Saif Ali, Adv.
 Mr. Pushpendra S. Bhadoriya, Adv.
 Ms. Rusheet Saluja, Adv.

For Respondent(s)

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

The submission of the learned senior counsel for the petitioner is that in a suit filed by the petitioner, interlocutory order for preserving the property has been declined. In the same

proceeding, on an application filed by the respondent, the petitioner has been asked to preserve the property. The submission thus, is that on the one hand the petitioner is not able to deal with the property but the respondents are dealing with the property and the order which needs to be passed is to preserve the property till the suit is decided.

We find that the petitioner filed an appeal before the High Court of Allahabad in which notice was issued on 09.09.2020 but once again there is no interim protection.

The impugned order really being one of notice and that too an interlocutory order, we are not inclined to exercise jurisdiction under Article 136 of the Constitution. The petitioner is at liberty to move the High Court for an early listing of the matter to press for preservation of the property from both sides rather than only an order against the petitioner.

The Special Leave Petition is dismissed with the aforesaid observations.

Pending applications also stand disposed of.

(ASHA SUNDRIYAL)
AR CUM PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR