

ITEM NO.41

COURT NO.12

SECTION XV

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). 22598/2015

(Arising out of impugned final judgment and order dated 15/06/2015 in SBMCR No. 2363/2014 passed by the High Court Of Rajasthan At Jaipur)

PREM GALAV AND ORS.

Petitioner(s)

VERSUS

RAVINDRA KUMAR

Respondent(s)

(with interim relief and office report)

Date : 03/03/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. Sushil Kumar Jain, Sr. Adv.
Mr. Puneet Jain, Adv.
Ms. Christi Jain, Adv.
Ms. Priyal Jain, Adv.
Ms. Pratibha Jain, Adv.

For Respondent(s) Mr. Kedar Nath Tripathy, Adv.
Mr. M.A. Aleem Majid, Adv.
Mr. R.S. Mishra, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed
order.

(NEELAM GULATI)
COURT MASTER

(TAPAN KR. CHAKRABORTY)
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 3603 of 2017
(Arising out of SLP (C) No. 22598 of 2015)

PREM GALAV AND ORS.

Appellant(s)

VERSUS

RAVINDRA KUMAR

Respondent(s)

O R D E R

Heard learned counsel for the parties.

Leave granted.

In our opinion, as the shops have been constructed, the injunction which has been granted by the High Court, deserves to be modified to the extent that appellants are permitted to let out the shops subject to the outcome of the matter. Accordingly, we modify the order. The fact as to pending litigation will be mentioned in the Rent Note as and when the same is executed by the appellants.

As the case is at the stage of final hearing,
trial court to make endeavour to decide it as
expeditiously as possible preferably within two months.

The appeal is allowed to the aforesaid extent.

.....J
(ARUN MISHRA)

.....J
(AMITAVA ROY)

NEW DELHI
MARCH 03, 2017