

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

CONTEMPT PETITION (C) NO. 1671/2017

IN

SPECIAL LEAVE PETITION(C) NO. 16627/2014

PARWATI DEVI & ORS.

PETITIONER(S)

VERSUS

MEERA GUPTA & ORS.

RESPONDENT(S)

WITH

SPECIAL LEAVE PETITION(C) No. 16627/2014

MEERA GUPTA

PETITIONER(S)

VERSUS

PARWATI DEVI & ORS.

RESPONDENT(S)

O R D E R

CONTEMPT PETITION (C) NO. 1671/2017 IN SLP(C) NO. 16627/2014

Original Suit No. 490 of 2013 is pending before the Additional Civil Judge (Sr. Div.) FTC District Jalaun, at Urai. There is a serious dispute as to whether plaint schedule property is in possession of plaintiffs or defendants as on today. That dispute has given rise to a series of litigations both civil and criminal. We do not propose to go into those disputes at this stage. However, having regard to the background of disputes, for maintaining peace

and balancing equities, we feel it just and proper to direct the Trial Court to appoint a Receiver in respect of the plaint schedule property till the suit is finally disposed of. The parties shall appear before the Trial Court on 05.03.2018 on which date after hearing the parties concerned, the Trial Court shall pass an appropriate order appointing a Receiver and it will be open to the court to fix the conditions.

We make it clear that we have not considered the merits of the claims made by either of the parties before us regarding the disputed possession. It will be entirely open to the Trial Court to balance equities and pass an order while fixing the conditions, when the Receiver is appointed.

The order above shall be passed by the Trial Court within a week from the date of appearance of the parties i.e. 05.03.2018.

We also make it clear that since we have not considered the matter otherwise on merits, this order shall not have any bearing on the civil or criminal litigations between the parties. They shall be decided on their own merits.

We also make it clear that the Trial Court will pass the order on appointment of the Receiver uninfluenced by the earlier orders passed by the Trial Court, High Court or this Court.

In view of the above order, the contempt petition stands disposed of.

Pending application(s), if any, stands disposed of accordingly.

SLP(C) No. 16627/2014

Since the subject matter of this special leave petition is on the dispute regarding the possession of the plaint schedule property as mentioned in the above order in contempt petition, no separate order is required to be passed. The parties are free to raise all available contentions before the Trial Court.

The Special Leave Petition is disposed of accordingly.

Pending application(s), if any, stands disposed of accordingly.

.....J.
[KURIAN JOSEPH]

.....J.
[MOHAN M. SHANTANAGOUDAR]

NEW DELHI;
FEBRUARY 13, 2018.

ITEM NO.4

COURT NO.5

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

CONMT.PET.(C) No. 1671/2017 in SLP(C) No. 16627/2014

PARWATI DEVI & ORS.

Petitioner(s)

VERSUS

MEERA GUPTA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.79021/2017-LETTER and IA
No.79130/2017-EXEMPTION FROM FILING OFFICIAL TRANSLATION)

WITH

SLP(C) No. 16627/2014 (XI)

(FOR ON IA 2/2015

FOR EXEMPTION FROM FILING O.T. ON IA 3/2016

FOR ON IA 2/2016

(LIST ON NON-MISCELLANEOUS DAY IN THE MONTH OF FEBRUARY 2017)

Date : 13-02-2018 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Parties:

Mr. Rakesh Khanna, Sr. Adv.

Mr. Abhishek Chauhan, Adv.

Mr. Ashutosh Dubey, AOR

Ms. Rajshri, Adv.

Mr. Sushil Pandey, Adv.

Mr. Rajendra, Adv.

Mr. V.S. Rawat, Adv.

Mr. Kuljit Kaur, Adv.

Mr. Gopal Sankar Narayan, Adv.

Mr. Virag Gupta, Adv.

Ms. Archana Pathak Dave, AOR

Mr. Gaurav Pathak, Adv.

Mr. Rajendra D. Anbhule, AOR

Ms. Aishwarya Bhati, AAG

Ms. Alka Sinha, Adv.

Mr. Anuvrat Sharma, AOR

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

The contempt petition as well as special leave petition are disposed of in terms of the signed order.

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI THAKUR)
COURT MASTER (SH)

(RENU DIWAN)
ASST.REGISTRAR

(Signed order is placed on the file)