

ITEM NO.5 Court 2 (Video Conferencing) SECTION IV-B

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).20745/2019

(Arising out of impugned final judgment and order dated 31-05-2019 in CS No.466/2018 of 14.03.2018, passed by the Court of Civil Judge (Senior Division) Chandigarh)

JASPREET CHINNA & ANR.

PETITIONER(S)

VERSUS

CHINMAYA TAPOVAN TRUST & ORS.

RESPONDENT(S)

(FOR ADMISSION and I.R. and IA No. 131376/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 165739/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 130775/2019 - PERMISSION TO FILE ADDITIONAL, DOCUMENTS/FACTS/ANNEXURES, IA No. 177279/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 45303/2020 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

WITH

MA 1766/2019 in SLP(C) No. 23762/2018 (IV-B)  
(IA No. 129080/2019 - EXTENSION OF TIME)

DIARY NO(S). 39204/2019 (IV-B)

(IA No. 171898/2019 - CONDONATION OF DELAY IN FILING, IA No. 171895/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 171899/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 25-01-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Parties:

Mr. R.K. Kapoor, Adv.  
Mr. Ashok Malik, Adv.  
Mr. Piyush Kant Roy, AOR

Ms. Pooja Dhar, AOR

Mr. D. L. Chidananda, AOR

Mr. P.S. Patwalia, Sr. Adv.  
Ms. Natasha Dalmia, Adv.

Ms. Vanshdeep Dalmia, AOR

Mr M C Dhingra Adv  
Mr. Vikrant Yadav, Adv  
Mr. Gaurav Dhingra, AOR

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

Delay condoned.

The order dated 4<sup>th</sup> December, 2019 passed by this Court had noted factual contours as well as various submissions advanced by the concerned parties. After noting the facts emerging from the record before this Court, it was directed that the possession of the property in question be handed over to Chinmaya Tapovan Trust (for short "the Trust") on or before 31<sup>st</sup> December, 2019.

Since, the Civil Suit No. 466 of 2018 filed by the heirs of Yashpal Singh Chinna was pending consideration before the concerned Court, this Court also directed that the possession of the property with the Trust would purely be in the capacity as Court Receiver.

The subsequent order dated 7<sup>th</sup> September, 2021 recorded that the possession was accordingly handed over to the Trust. It further recorded the submission of the learned Counsel for the petitioner that certain amounts deposited by Mr. Bhal Singh Malik, the then tenant, were lying with the concerned Court and appropriate directions be issued with respect to the entitlement of said amounts.

Heard Mr. R.K. Kapoor, learned Advocate for the petitioners and Mr. P.S. Patwalia, learned Senior Advocate for the Trust.

Both the sides agree that following directions shall serve the ends of justice. It is, therefore, directed:

- a) Till the disposal of the aforesaid Civil Suit No.466 of 2018, Chinmaya Tapovan Trust shall continue to be in possession over the property purely in the capacity of Court Receiver.
- b) Whatever amounts that were deposited by Mr. Bhal Singh Malik, the then tenant, with the concerned Court shall also await the decision in said Civil Suit No.466 of 2018.

Since the litigation has been pending consideration for a long time, we direct the concerned court to dispose of Civil Suit No.466 of 2018 as early as possible, preferably within one year from the receipt of copy of this order.

With these directions, the instant Special Leave petitions are disposed of.

In view of the aforesaid directions, nothing survives in M.A. No.1766 of 2019 which is accordingly disposed of.

Pending application(s), if any, shall stand disposed of.

(INDU MARWAH)  
COURT MASTER (SH)

(BEENA JOLLY)  
COURT MASTER (NSH)