

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). OF 2017  
[@Special Leave Petition (C) NO. 25503 of 2015]

SMT.PRAMILA LAXMILAL JAIN & ORS. APPELLANT (S)

VERSUS

ENCLAVE HOSPITALITY PRIVATE LIMITED  
THROUGH ITS DIRECTOR & ORS. RESPONDENT(S)

O R D E R

Leave granted.

The appeal stands disposed of in terms of the following consent order as agreed to, by the learned counsel for the parties.

- 1) That the equal area which were in occupation of the appellants will be given after construction is made in a commercial building by the respondent No. 1.
- 2) The Plan shall be submitted by the respondent No. 1 for the purpose of construction within six weeks. In case there is no interim order passed by the High Court in the PIL which is stated to be pending, the same shall be processed. In case there is interim order, plan to be processed expeditiously after interim order is vacated. Then, the builder shall raise the construction in accordance with agreement within stipulated time.

3) As the appellants have been displaced, the respondent No. 1 shall pay reasonable amount for occupation of other accommodation in the meantime, to be determined by the High Court, up to the time the possession is handed over to the petitioners by the respondent No. 1.

It is submitted that some amount has been deposited before the High Court, let the High Court pass necessary orders in this regard. The order is accordingly, modified.

The appeal stands disposed of, accordingly.

.....J  
(ARUN MISHRA)

.....J  
(AMITAVA ROY)

NEW DELHI;  
JULY 10, 2017

ITEM NO.49

COURT NO.11

SECTION IX

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).25503/2015

(Arising out of impugned final judgment and order dated 23-06-2014 in AN No. 290/2014 passed by the High Court Of Bombay)

SMT.PRAMILA LAXMILAL JAIN &amp; ORS.

Petitioner(s)

VERSUS

ENCLAVE HOSPITALITY PRIVATE LIMITED  
THROUGH ITS DIRECTOR & ORS.

Respondent(s)

Date : 10-07-2017 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. R.K. Sanghi, Sr. Adv.  
Mr. Anshuman Tiwari, Adv.  
Mr. S.N. Tripathi, Adv.  
Mr. Jayant Chourasia, Adv.  
Mr. Sunil K. Tiwari, Adv.  
Mr. Pradeep Khitani, Adv.  
Mr. R.K. Mishra, Adv.  
Mr. Amit K. Bhagat, Adv.  
Mr. Braj Kishore Mishra, AOR

For Respondent(s) Mr. Guru Krishna Kumar, Sr. Adv.  
Mr. Pragyan Sharma, Adv.  
Mr. Avinash Joshi, Adv.  
Mr. Shikhar Garg, Adv.  
Mr. P. V. Yogeswaran, AOR

Mr. Ashish Wad, Adv.  
Ms. Jayashree Wad, Adv.  
Mr. Sangram singh, Adv.  
Ms. Sukriti Jaggi, Adv.  
J S Wad And Co, AOR

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

Leave granted.

The appeal stands disposed of in terms of the signed order.

(B. PARVATHI)  
COURT MASTER (SH)

(TAPAN KUMAR CHAKRABORTY)  
BRANCH OFFICER

(Signed order is placed on the file)