

ITEM NO.15

COURT NO.8

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.2958/2020

(Arising out of impugned final judgment and order dated 08-01-2020 in AFOST No. 16/2020 passed by the High Court of Judicature at Bombay)

MRS. NISHA SURESH MODI & ANR.

Petitioner(s)

VERSUS

THE BOMBAY MUNICIPAL CORPORATION & ORS.

Respondent(s)

(With appln.(s) for exemption from filing c/c of the impugned judgment and interim relief)

Date : 10-02-2020 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRA

For Petitioner(s) Mr. Mehul M. Gupta, Adv.
Mr. R. P. Gupta, AOR

For Respondent(s) Ms. Sanjana Saddy, Adv.
Ms. Anindita Mitra, AOR

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

On 31 January 2020, the following statement of the fourth respondent-developer was recorded by this Court:

"Respondent No 4 states that M/s Aakar Infraprojects Pvt Ltd. has entered into an agreement at par with all other tenants. The counsel for respondent No.4 states that they will enter into a similar agreement with the petitioners herein.

In view of the above statement, the demolition of the building was not stayed.

During the course of the hearing, learned counsel appearing on behalf of the fourth respondent has stated that the developer stands by the aforesaid statement and, in addition, an amount of Rs 19,000 per month under the agreement together with such escalation as is provided in the agreement from time to time will be paid to the petitioners. To facilitate the payment being made to the petitioners, it has been agreed that the petitioners will communicate relevant bank details to the fourth respondent in order to ensure that the payment on account of monthly compensation is paid over electronically into the account of the petitioners by the seventh of every month. This will come into effect once the agreement between the parties is duly entered into. The parties shall enter into the agreement within a period of two weeks from the date of this order.

The Special Leave Petition is accordingly disposed of.

(Chetan Kumar)
A.R. -cum-P.S.

(Saroj Kumari Gaur)
Court Master