

ITEM NO.25, 25.1

COURT NO.2

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petitions for Special Leave to Appeal (C) No(s). 25285-25286/2019

(Arising out of impugned final judgment and order dated 24-09-2019 in WP No. 11754/2019 24-09-2019 in WP No. 5121/2019 passed by the High Court Of Judicature At Bombay At Aurangabad)

HASAN

Petitioner(s)

VERSUS

LUNIYA MUNOT AND CO. & ORS.

Respondent(s)

IA No. 4676/2023 - CONDONATION OF DELAY IN FILING)
IA NOS. 228135/2023, 228136/2023, 228357/2023- APPLICATIONS FOR
EXEMPTION FROM FILING OT)

WITH

SLP(C) No. 27590-27591/2019 (IX)
(IA No. 4671/2023 - CONDONATION OF DELAY IN FILING)

Date : 04-12-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Harish N. Salve, Sr. Adv.
Mr. Vijay Hansaria, Sr. Adv.
Mr. Dr. S. Muralidhar, Sr. Adv.
Mr. M. Y. Deshmukh, AOR
Ms. Manjeet Kirpal, Adv.
Ms. Adviteeya Sharma, Adv.
Mr. Anshuman Ashok, Adv.
Mr. M.A. Karthik, Adv.
Mr. Nandkumar N. Deshmukh, Adv.

For Respondent(s)

M/S. S-legal Associates, AOR

Mr. Shrirang B. Varma, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR

Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Raavi Sharma, Adv.

Mr. Ashwin Shete, Adv.
Mr. Mahesh Prakash Shinde, Adv.
Mr. Vatsalya Vigya, AOR

Mr. Shashibhushan P. Adgaonkar, AOR

Mr. Sandeep Sudhakar Deshmukh, AOR
Mr. Nishant Sharma, Adv.
Mr. Swapnil Anil Walde, Adv.

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

Delay condoned.

Notice was issued on 23.10.2019 limited to the issue that observations in the impugned order that a Assignee has a right beyond what is available to the assignor would amount to enlarging the scope of what already stands concluded.

The contesting respondents, there is no doubt, purchased pending litigation.

The aforesaid being the position, the directions contained in para 14 are not something which can be sustained as the ambit of the dispute cannot go beyond what can be looked into, i.e. the rights of the assignor. Assignee cannot have rights better than the Assignor.

The special leave petitions stand disposed of in the aforesaid terms. The competent Court to proceed

in accordance with law expeditiously and conclude execution proceedings not later than two months from today.

Pending applications stand disposed of.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)