

ITEM NO.26

COURT NO.11

SECTION XVI

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). 28575/2019

(Arising out of impugned final judgment and order dated 07-11-2019 in APO No. 153/2017 passed by the High Court At Calcutta)

SHEO NARAYAN SINGH

Petitioner(s)

VERSUS

SATYABHAMA JAIN & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.185369/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.185372/2019-DELETING THE NAME OF PETITIONER/RESPONDENT)

Date : 09-12-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Mukul Rohtagi, Sr. Adv.
Mr. Shadaab Anwar, Adv.
Mr. Zartab Anwar, Adv.
Ms. V.S. Lakshmi, Adv.
Mr. A. Venayagam Balan, AOR

For Respondent(s) Mr. Tarkeshwar Nath, Adv.
Mr. B.K. Pandey, Adv.
Mr. Mahavir Rawat, Adv.
Mr. Rohit Prasad, Adv.
Mr. Rameshwar Prasad Goyal, AOR

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

Application for exemption from filing c/c of the impugned judgment is allowed.

Application for deleting the name of proforma respondents is allowed.

The respondent/purchaser from the mortgage is out of pocket for more than Rs.60 lakhs and out of possession as he is

dispossessed.

The petitioner purchased the property in pursuance of Court proceedings where joint administrator was appointed.

These are the competing claims before us now.

It is the case of the respondent(s) that the Calcutta Courts did not have any jurisdiction while granting permission to sell the property to the petitioner.

Be that as it may, we are of the view that it is a fit case for endeavour to settle by mediation as both sides would look to the commercial perspective. It is suggested that the mediation be held under the aegis of the Supreme Court Mediation Centre.

Let all the parties appear before the Supreme Court Mediation Centre on 16.12.2019.

List after mediation report is received.

In view of the mediation proceedings, the impugned judgment be not given effect to till the mediation report is received.

(ASHA SUNDRIYAL)
COURT MASTER

(ANITA RANI AHUJA)
COURT MASTER