

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 SPetition(s) for Special Leave to Appeal (C) No(s). 6771/2015

(Arising out of impugned final judgment and order dated 20-11-2014 in CRA No. 19/2014 passed by the High Court Of Judicature At Bombay At Nagpur)

DR. SATYANARAYAN

Petitioner(s)

VERSUS

WEST NAGPUR COOPERATIVE HOUSING SOCIETY LTD. NAGPUR THROUGH ITS  
AUTHORIZED MEMBER NARAYANDAS & ORS. Respondent(s)

Date : 27-11-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL  
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Nikhil Nayyar, Adv.  
Mr. Aruns Agrawal, Adv.  
Mr. T. V. S. Raghavendra Sreyas, AOR  
Mrs. Gayatri Gulati Sreyas, Adv.  
Mr. N. Sai Vinod, Adv.

For Respondent(s) Mr. Arjun V. Bobde, Adv.  
Ms. Richa Relhan, Adv.  
Ms. Pallavi Sharma, AOR  
  
Mr. Makarand D. Adkar, Adv.  
Mr. Vijay Kumar, Adv.  
Mr. R.C. Sharma, Adv.  
Ms. Aparna Jha, AOR

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

Leave granted.

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

(MADHU BALA)  
COURT MASTER (SH)  
(Signed order is placed on the file)

(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.19852 OF 2017  
(@ SPECIAL LEAVE PETITION (CIVIL) NO. 6771 OF 2015)

DR. SATYANARAYAN

...APPELLANT(S)

VERSUS

WEST NAGPUR COOPERATIVE HOUSING SOCIETY LTD.  
NAGPUR & ORS.

...RESPONDENT(S)

O R D E R

Leave granted.

Heard learned counsel for the parties.

We are satisfied that having regard to the nature of the claim in the suit, the pre suit notice was not mandatory. The application under Order 7 Rule 11 could not have been allowed.

Accordingly, we set aside the impugned order. The suit be now decided in accordance with law.

The trial Court may expedite the hearing.

Parties are directed to appear before the trial Court for further proceedings on 29<sup>th</sup> January, 2018.

The appeal is, accordingly, disposed of.

.....J.  
[ADARSH KUMAR GOEL]

NEW DELHI  
27<sup>th</sup> NOVEMBER, 2017

.....J.  
[UDAY UMESH LALIT]