

Mr Vinayak Bhandari, learned counsel appearing on behalf of the petitioner has drawn the attention of the Court to a series of photographs annexed at Annexure P4 to the Special Leave Petitions on the basis of which he submits that nearly three thousand flats have been sold and construction is nearly ninety per cent complete.

Learned counsel submits that the High Court granted an *ex parte ad interim* injunction on the basis of the submission of the respondents that they were in possession, which, in the submission, is belied by the position at the site.

Since the Special Leave Petitions under Article 136 of the Constitution have been filed against an *ad interim* order, we are not inclined to entertain these Petitions. However, since the proceedings are now posted for hearing on 16 January 2020, we request the High Court to take up the Appeal from Order for expeditious disposal and, if that is not possible due to exigencies of work, to consider the prayer of the petitioner for modification or, as the case may be, vacating the order. We clarify that we have not expressed any opinion on the merits of the respective rights and contentions of the parties.

The Special Leave Petitions are disposed of.

Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER

ITEM NO.19

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s).43868/2019

(Arising out of impugned final judgment and order dated 03-09-2019 in CAST No. 20705/2019, 30-09-2019 in AFOST No. 20700/2019, 05-11-2019 in AFOST No. 20700/2019 and 27-11-2019 in CAST No. 20705/2019 passed by the High Court of Judicature at Bombay)

PALAVA DWELLERS PVT. LTD.

Petitioner(s)

VERSUS

SHANKAR RAGHUNATH MHATRE (DECEASED)
THROUGH HIS LEGAL HEIRS & ORS.

Respondent(s)

(WITH I.R. and IA No.190477/2019-CONDONATION OF DELAY IN FILING and IA No.190478/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.190479/2019-EXEMPTION FROM FILING O.T.)

Date : 16-12-2019 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Vinayak Bhnandari, Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. Ankur Saigal, Adv.
Mr. Divyang Gobind Chandiramani, Adv.
Mr. Yojit Mehra, Adv.
Ms. Ayushi Amod, Adv.
Ms. Abha Saigal, Adv.
Mr. E. C. Agrawala, AOR

For Respondent(s)

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

The Special Leave Petitions have been filed against an *ad interim* order of the Bombay High Court dated 3 September 2019, which was extended until 30 September 2019 (due to paucity of time); 5 November 2019 (at the request of the respondents) and 16 January 2020.

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