

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1746 OF 2020
[@ SPECIAL LEAVE PETITION (C) NO. 4079 OF 2020]

PRAKASH R. DHARIWAL Appellant (s)

VERSUS

SUBHASH HASTIMAL LODHA & ORS. Respondent(s)

with

CIVIL APPEAL NO. 1747 OF 2020
[@ SPECIAL LEAVE PETITION (C) NO. 4891 OF 2020]
[DIARY NO. 4948 OF 2020]

CIVIL APPEAL NO. 1748 OF 2020
[@ SPECIAL LEAVE PETITION (C) NO. 4439 OF 2020]

CIVIL APPEAL NO. 1749 OF 2020
[@ SPECIAL LEAVE PETITION (C) NO. 4892 OF 2020]
[DIARY NO. 4888 OF 2020]

CIVIL APPEAL NO. 1750 OF 2020
[@ SPECIAL LEAVE PETITION (C) NO. 4893 OF 2020]
[DIARY NO. 4369 OF 2020]

O R D E R

Delay condoned.

Leave granted.

Having heard the learned senior counsel appearing for the respective parties at length and in the peculiar facts and circumstances of the case, more particularly when the dispute with respect to valuation is kept open by the learned Single Judge, we modify the order dated 09.10.2019 passed by the

learned Single Judge to the following extent :-

With respect to Rs. 42 Crores (Rupees Forty Two Crores), as directed to be paid by the appellant herein, we direct that Rs. 20 crores be deposited, as directed by the learned Single Judge, within a period of two weeks from today and so far as the Bank Guarantee is concerned, the order passed by the learned Single Judge shall prevail.

It is made clear that the aforesaid order is passed without prejudice to the rights and contentions of the parties and the main application to be considered by the learned Single Judge in accordance with law. All the contentions, which may be available under the law, of the respective parties, are kept open.

We hope that the learned Single Judge will decide and dispose of the application at the earliest.

With the above modification, the appeals are disposed of.

.....J.
[ARUN MISHRA]

.....J.
[M. R. SHAH]

New Delhi;
FEBRUARY 20, 2020.

ITEM NO.28 + 45 + 47

COURT NO.3

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(s). 4079/2020

(Arising out of impugned final judgment and order dated 09-01-2020 in APPL No. 555/2019 passed by the High Court Of Judicature At Bombay)

PRAKASH R. DHARIWAL

Petitioner(s)

VERSUS

SUBHASH HASTIMAL LODHA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.26696/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

with

Diary No. 4948 of 2020

(For admission and IR and c/delay in filing and permission to file additional documents/facts/annexures)

SLP (C) No. 4439 of 2020

(for admission and IR)

Diary No. 4888 of 2020

(for admission and IR and c/delay in filing and exemption from filing c/c of the impugned Judgment)

Diary No. 4369 of 2020

(for admission and IR and c/delay in filing and exemption from filing c/c of the impugned Judgment)

Date : 20-02-2020 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE M.R. SHAH

Counsel for the
parties

Mr. Mukul Rohtagi, Sr. Adv.
Ms. Neela Gokhale, Adv.
Mr. Ilam Paridi, Adv.
Ms. Kamakshi S. Mehlwal, AOR

Mr. C. A. Sundaram, Sr. Adv.
Mr. Shivaji M. Jadhav, Adv.
Mr. Brij Kishor Sah, Adv.
Ms. Qurratulain, Adv.
Mr. Nicholas Chaudhary, Adv.

Mr. Shiv Ram Pandey, Adv.

Mr. Vinay Navare, Sr. Adv.

Mr. Sandeep Deshmukh, Adv.

Mr. Vasim Siddique, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.

Mr. Shyam Divan, Sr. Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Ankur Saigal, Adv.

Mr. Rohan Talwar, Adv.

Mr. E. C. Agrawala, Adv.

Mr. Manish Desai, Adv.

Ms. Nidhi Singh, Adv.

Ms. Smriti Churiwal, Adv.

Mr. Jaivir K. Sidhant, Adv.

Mr. Aman Varma, Adv.

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

Leave granted.

The appeals are disposed of in terms of the signed order.

Pending interlocutory application(s), if any, is/are disposed
of.

(JAYANT KUMAR ARORA)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER

(Signed order is placed on the file)