

dITEM NO.41 COURT NO.7 SECTION XVII
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal Diary No(s). 28284/2016
RUNWAL CONSTRUCTIONS AND ORS.

Appellant(s)

VERSUS

MONICA HARWANI Respondent(s)
(With appln. (s) for condonation of delay in filing appeal and office report)

WITH

C.A. D 28285/2016

(With appln.(s) for c/delay in re-filing appeal and appln.(s) for condonation of delay in filing appeal and Office Report)

C.A. D 28287/2016

(With (With appln.(s) for c/delay in re-filing appeal and appln.(s) for condonation of delay in filing appeal and Office Report)

Date : 03/10/2016 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Appellant(s) Ms. Indu Malhotra, Sr. Adv.

Ms. Mala Kalra, Adv.

Mr. Tanvir Nayar, Adv.

Ms. Rakhi Mohanty, Adv.

Mr. Vikas Mehta, Adv.

For Respondent(s)

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

Delay condoned.

Issue notice.

Await the decision of the larger Bench in Civil Appeal Nos. 1083-1084 of 2016 on the issue.

Stay of the proceedings before the National Commission would not only result in procrastination but also cause prejudice to the

1

respondent. The proper course is to permit the appellant-company to file its response. We accordingly permit the appellant to file its reply before the National Commission within two weeks from today subject to payment of Rs.50,000/- as costs to be paid to the opposite party. The Commission can upon deposit of costs proceed with the trial on merits after receiving the reply filed by the respondent. The pendency of present proceedings shall not be an impediment for the Commission to do so. This however is subject to the condition that the respondent is ready and willing to take the proceedings forward on the condition aforementioned. In case the respondent has any objection to the continuance of the proceedings before the Commission, he shall be free to seek stay of such proceedings pending disposal of this petition in which event the proceedings shall remain stayed till disposal of present petition.

Tag with Civil Appeal Nos. 1083-1084/2016.

(Meenakshi Kohli) (Jaswinder Kaur)

Court Master

Court Master

2