

ITEM NO.5+19      Court 6 (Video Conferencing)      SECTION XVI

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).5836/2021

(Arising out of impugned final judgment and order dated 09-03-2021  
in CO No. 139/2021 passed by the High Court at Calcutta)

M/S. GANGES GARDENS REALTORS PVT. LTD. & ORS.      Petitioner(s)

VERSUS

RAYEES ALAM & ORS.      Respondent(s)

(WITH I.R. and IA No.51305/2021-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT and IA No.51307/2021-EXEMPTION FROM FILING O.T.  
and IA No.51309/2021-EXEMPTION FROM FILING AFFIDAVIT and IA  
No.51306/2021-PERMISSION TO FILE LENGTHY LIST OF DATES)

WITH

SLP(C) No. 6159/2021 (XVI)

(WITH I.R. and IA No.54031/2021-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT and IA No.54033/2021-EXEMPTION FROM FILING O.T.  
and IA No.54038/2021-EXEMPTION FROM FILING AFFIDAVIT and IA  
No.54034/2021-PERMISSION TO FILE LENGTHY LIST OF DATES and IA  
No.54028/2021-PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No.6331/2021

(WITH I.R. and IA No.55061/2021-EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT and IA No.55064/2021-EXEMPTION FROM FILING O.T.  
and IA No.55067/2021-EXEMPTION FROM FILING AFFIDAVIT and IA  
No.55063/2021-PERMISSION TO FILE LENGTHY LIST OF DATES and IA  
No.55057/2021-PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

Date : 20-04-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)      Mr. Nakul Dewan, Sr. Adv.  
                                         Ms. Akriti Chaubey, AOR  
                                         Mr. Sambit Nanda, Adv.  
                                         Ms. Neelu Mohan, Adv.

Mr. Jaideep Gupta, Sr. Adv.  
Mr. Ejaz Maqbool, AOR

**Mr. Abhijeet Sinha, AOR**

**For Respondent(s) Mr. Ali Asghar Rahim, Adv.  
Mr. Rauf Rahim, AOR**

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

- 1 We have heard Mr Jaideep Gupta, Mr Nakul Dewan, learned Senior Counsel and Mr Abhijeet Sinha, learned counsel appearing on behalf of the petitioners.
- 2 Since the Special Leave Petitions under Article 136 of the Constitution arise from an interlocutory proceeding where the High Court has, in revision, reversed the order of the Wakf Tribunal declining to grant an interim injunction under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure 1908, we are not inclined to entertain the Special Leave Petitions at this stage. The observations contained in the impugned order of the High Court were confined to the issue as to whether an interlocutory injunction should be granted and shall not come in the way of the trial.
- 3 Since the High Court has directed that the suit be disposed of within a period of one year, the learned Trial Judge shall strictly abide by the direction of the High Court and submit a report of compliance after the disposal of the proceedings within the time stipulated in the order of the High Court.
- 4 Subject to the aforesaid, the Special Leave Petitions are dismissed.
- 5 Pending applications stand disposed of.

**(SANJAY KUMAR-I)  
AR-CUM-PS**

**(CHETAN KUMAR)  
AR-CUM-PS**