

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5640 OF 2006

UNION OF INDIA & ORS.

APPELLANTS

VERSUS

UNMESH PROPERTIES PVT. LTD. & ORS.

RESPONDENTS

O R D E R

On hearing Mr. P.P. Malhotra, Additional Solicitor General for the appellants and upon perusal of the impugned order and the material placed before us, we are satisfied that the impugned order does not call for any interference in our jurisdiction under Article 136 of the Constitution.

The appeal is, accordingly, dismissed with no order as to costs.

It is, however, made clear that the order of the High Court directing the appellant no.2 (State Bank of India) to deposit the sum of Rs.54,00,000/- (Rupees fifty four lakhs only) with Calcutta Municipal Corporation on account of Corporation dues in respect of the subject property is subject to final assessment and the decision of the Calcutta High Court in Writ Petition No.825/2003.

...2/-

-2-

No question of law has been decided by us. Obviously, therefore, it will be open to the appellants to raise their pleas in the pending writ petition No.825/2004 or in any other proceedings before appropriate forum as and when such occasion arises.

.....J.
(R.M. LODHA)

.....J.
(SURINDER SINGH NIJJAR)

NEW DELHI,
APRIL 27, 2011.
ITEM NO.108

COURT NO.14

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 5640 OF 2006

UNION OF INDIA & ORS.

Appellant (s)

VERSUS

UNMESH PROPERTIES PVT. LTD. & ORS.

Respondent(s)

Date: 27/04/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Appellant(s) Mr. P.P.Malhotra, ASG
Ms. Vimla Sinha, Adv.
Mr. R.K. Tanwar, Adv.
Ms. Sushma Manchanda, Adv.
Mr. S.N. Terdarl, Adv.
For Ms. Sushma Suri, Adv.

For Respondent(s) Mr. Rajendra Singh, Adv.
Mr. K.K.L. Gautam, Adv.
For Mr. Ashok Kumar Singh, Adv.

Mr. L.C. Aggarwal, Adv.
Mr. Satish Vig ,Adv

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

The appeal is dismissed in terms of the
signed order.

(Neetu Khajuria)
Sr.P.A.

(S.S.R. Krishna)
Court Master

(Signed order is placed on the file.)