

NSLP(C) 12479/17

1

ITEM NO.1

COURT NO.2

SECTION IX

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.12479/2017
(Arising out of impugned final judgment and order dated 29/03/2017
in NN No. 1786/2015 29/03/2017 in EA No.2006/2015 29/03/2017 in CAL
No.6/2016 passed by the High Court of Bombay)

GAUTAM SINGHANIA

Petitioner(s)

VERSUS

HARI SHANKAR SINGHANIA AND ORS

Respondent(s)

(With appln. (s) for exemption from filing c/c of the impugned
judgment and permission to file synopsis and list of dates)

Date : 30/04/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA

HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.

Mr. P. Chidambaram, Sr. Adv.

Mr. Kunal Vajani, Adv.

Mr. Suraj Juneja, Adv.

Mr. Pranaya Goyal, Adv.

Mr. Aman Raj Gandhi, Adv.

Mr. Shubham Kulshrestha, Adv.

Ms. Bindi Girish Dave, AOR

For Respondent(s) Mr. Shyam Divan, Sr. Adv.

Mr. Dinyar Madon, Sr. Adv.

Mr. Yogendra Nath Bhardwaj, Adv.

Ms. Nandini Khaitan, Adv.

Mr. Sanjeev Kapoor, Adv.

Mr. Rajat Jariwal, Adv.

Mr. Sahil Narang, Adv.

Ms. Suriti Chowdhary, Adv.

Mr. Sairam Subramaniam, Adv.

for M/s. Khaitan & Co.

SLP(C) 12479/17

2

UPON hearing the counsel the Court made the following

O R D E R

Heard Mr. Kapil Sibal and Mr. P. Chidambaram,
learned senior counsel along with Mr. Kunal Vajani, learned
counsel for the petitioner and Mr. Dinyar Madon and
Mr. Shyam Divan, learned senior counsel along with
Ms. Nandini Khaitan, learned counsel for the respondent Nos.1
to 6.

Having heard learned counsel for the parties, it is
directed that the petitioner shall hand over the property
i.e. Kamala Cottage, Property No.6 at Juhu, Mumbai (property
at Sl. No.5) to the respondent Nos.1 to 6 by 6 th
May, 2017,

subject to deposit of a sum of Rs.20,00,00,000/- (Rupees
twenty crores only) by the said respondents before the
Registry of this Court on or before 4 th
May, 2017.

Issue notice to the respondent Nos.7 to 15, for the
respondent Nos.1 to 6 have been represented by Mr. Dinyar
Madon and Mr. Shyam Divan, learned senior counsel.

Dasti, in addition, is permitted.

The execution proceedings being, Execution
Application Nos.80 of 2016 and 366 of 2016, pending before
the court of District Judge, Kanpur, U.P., shall be
transferred to this Court and the same be heard along with
the present special leave petition.

In the event the amount is deposited, the
Advocate-on-Record for the respondents shall intimate it to
the Advocate-on-Record for the petitioner. The purpose of

this intimation is that the petitioner shall hand over the possession of the property as mentioned herein-above on or before 6 th May, 2017, which is not later than forty-eight

SLP(C) 12479/17

3

hours. When we say the petitioner, it means that the possession of the property shall be handed over and anyone who tries to create obstruction, shall be liable for contempt of this Court.

Let the matter be listed on 8 th

May, 2017.

(Chetan Kumar)

Court Master (H.S. Parasher)

Court Master