

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). 2544 OF 2010

NAHALCHAND LALOOCHAND P.LTD.

Appellant (s)

VERSUS

PANCHALI CO-OP.HNG.STY.LTD.

Respondent(s)

(With prayer for interim relief and office report)

WITH Civil Appeal No. 2545 of 2010

(With prayer for interim relief and office report)

Civil Appeal NO. 2546 of 2010

(With prayer for interim relief and office report)

Civil Appeal NO. 2547 of 2010

(With prayer for interim relief and office report)

Civil Appeal NO. 2548 of 2010

(With prayer for interim relief and office report)

Civil Appeal NO. 2449 of 2010,

(With office report)

Civil Appeal NO. 2456 of 2010

(With office report)

Date: 29/06/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE A.K. PATNAIK

[VACATION BENCH]

For Appellant(s)

Mr. Tanmay Mehta, Adv.
Mr. Kush Chaturvedi, Adv. for
Mr. Vikas Mehta, Adv.

Mr. Pravin K.Samdani, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. E.C. Agrawala, Adv.
Mr. Rahul Dwarkadas, Adv.
Mr. Gaurav Goel, Adv.
Ms. Neha Aggarwal, Adv.

Ms. Deepti, Adv.
Ms. Pragya, Adv. for
Mrs Manik Karanjawala, Adv.

: 2 :

For Respondent(s)

Mr. Neeraj Kumar Jain, Sr. Adv.
Mr. Sanjay Singh, Adv.
Mr. Nitin Bhardwaj, Adv.
Mr. Pratham Kant, Adv.
Mr. J.N.Solanki, Adv.

Mr. Umesh Shetty, Adv.
Ms. Sharila F. D'Souza, Adv.
Mr. Buddy A.Ranganadhan, Adv.
Mr. A.V. Rangam, Adv.

Mr.Praveen Chaturvedi, Adv.

Ms. Deepti, Adv.
Ms. Pragya, Adv. for
Mrs Manik Karanjawala, Adv.

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

Mr. Tanmay Mehta, learned counsel appearing for the
appellant in C.A. No. 2544 of 2010 resumed his arguments at
10.40 p.m. and concluded at 4 p.m.

List this matter on 30.6.2010.

(Pardeep Kumar)
Court Master

(Shashi Bala Vij)
Court Master

ITEM NO.101
Part-heard

COURT NO.4

SECTION IX

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). 2544 OF 2010

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(With prayer for interim relief and office report)
Civil Appeal NO. 2449 of 2010,
(With office report)
Civil Appeal NO. 2456 of 2010
(With office report)

Date: 30/06/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE A.K. PATNAIK
[VACATION BENCH]

For Appellant(s) Mr. Tanmay Mehta, Adv.
Mr. Kush Chaturvedi, Adv. for
Mr. Vikas Mehta, Adv.

CA No. 2456 Mr. Pravin K.Samdani, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. E.C. Agrawala, Adv.
Mr. Rahul Dwarkadas, Adv.
Mr. Gaurav Goel, Adv.
Ms. Neha Aggarwal, Adv.

CA No. 2449 Mr. Sunil Gupta, Sr. Adv.
Ms. Deepti, Adv.
Ms. Pragya, Adv.
Mr. Gaurav Aggarwal, Adv.for
Mrs Manik Karanjawala, Adv.

For Respondent(s) Mr. Neeraj Kumar Jain, Sr. Adv.
Mr. Umesh Shetty, Adv.
Mr. Nitin Bhardwaj, Adv.
Mr. Pratham Kant, Adv.
Mr. J.N.Solanki, Adv.

Mr. Umesh Shetty, Adv.
Mr. Buddy A.Ranganadhan, Adv.
Mr. A.V. Rangam, Adv.

Mr. Praveen Chaturvedi, Adv.

Ms. Deepti, Adv.
Ms. Pragya, Adv. for
Mrs Manik Karanjawala, Adv.

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

Mr. Praveen Samdhani, learned senior counsel
appearing for the appellants in C.A. No. 2456 of 2010
commenced his arguments and concluded at 12.35 p.m.
Thereafter, Mr. Sunil Gupta, learned senior counsel
appearing for the appellants in C.A. No. 2449 of 2010
commenced his arguments and concluded at 3.25 p.m.
Thereafter, Mr. Neeraj Kumar Jain, learned senior counsel
appearing for the respondent No.1 - Panchali Co-operative
Housing Society Ltd. commenced his arguments and was on his
legs when the Court rose for the day leaving the matter as
part-heard.

(Pardeep Kumar)
Court Master

(Shashi Bala Vij)
Court Master

ITEM NO.101
Part-heard

COURT NO.4

SECTION IX

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). 2544 OF 2010

NAHALCHAND LALOOCHAND P.LTD.

Appellant (s)

VERSUS

PANCHALI CO-OP.HNG.STY.LTD.

Respondent(s)

(With prayer for interim relief and office report)

WITH Civil Appeal No. 2545 of 2010
(With prayer for interim relief and office report)
Civil Appeal NO. 2546 of 2010
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Civil Appeal NO. 2547 of 2010
(With prayer for interim relief and office report)
Civil Appeal NO. 2548 of 2010
(With prayer for interim relief and office report)
Civil Appeal NO. 2449 of 2010,
(With office report)
Civil Appeal NO. 2456 of 2010
(With office report)
IA No. 4
(for intervention)

Date: 01/07/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE A.K. PATNAIK
[VACATION BENCH]

For Appellant(s) Mr. Tanmay Mehta, Adv.
Mr. Kush Chaturvedi, Adv. for
Mr. Vikas Mehta, Adv.

CA No. 2456 Mr. Pravin K.Samdani, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. E.C. Agrawala, Adv.
Mr. Rahul Dwarkadas, Adv.
Mr. Gaurav Goel, Adv.
Ms. Neha Aggarwal, Adv.

CA No. 2449 Ms. Deepti, Adv.
Ms. Pragya, Adv.
Mr. Gaurav Aggarwal, Adv. for
Mrs Manik Karanjawala, Adv.
: 2 :

For Respondent(s) Mr. Neeraj Kumar Jain, Sr. Adv.
Mr. Umesh Shetty, Adv.
Mr. Nitin Bhardwaj, Adv.
Mr. Pratham Kant, Adv.
Mr. J.N.Solanki, Adv.
Mr. Umang Shankar, Adv.

Mr. Umesh Shetty, Adv.
Mr. Buddy A.Ranganadhan, Adv.
Mr. A.V. Rangam, Adv.

Mr. Praveen Chaturvedi, Adv.

Ms. Deepti, Adv.
Ms. Pragya, Adv. for
Mrs Manik Karanjawala, Adv.

Ms. Aparna Jha, Adv. (NP)

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

Mr. Neeraj Kumar Jain, learned senior counsel appearing for the respondent No.1 - Panchali Co-operative Housing Society Ltd. resumed his arguments at 10.50 a.m. and concluded at 12.30 p.m. Thereafter, Mr. Umesh Sheety, learned counsel appearing for the respondents in C.A. No.2545 of 2010 commenced his arguments and concluded at 2.05 p.m. Thereafter, in rebuttal, Mr. Tanmay Mehta, learned counsel for the appellant in C.A. No. 2544 of 2010 commenced his arguments and concluded at 3 p.m. Arguments concluded. Judgment reserved. I.A. No. 4 for intervention is dismissed. Learned counsel for the parties are permitted to file their written submissions within two weeks from today.

(N.S.K. Kamesh)
Court Master

(Shashi Bala Vij)
Court Master

LIST OF BOOKS BY:

Mr. Tanmay, Adv.

(2008) 5 SCC 176

(2006) 10 SCC 452

(2008) 4 SCC 144

Development Control Regulations for Greater Bombay, 1991

AIR 72 Bom 343

(1964) 5 SCR 836

Mr. Sunil Gupta, Sr. Adv.

(1991) 3 SCC 617

(1999) Supp. 2 SCC 18

(2007) 9 SCC 220

Air 1972 Bom

Maxwell Interpretation of Statutes 12th Edn. Page 69

1986 (1) SCC 264

Principles of Statutory Interpretation by GP Singh

8th Edn. Pages 150 to 160