

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 (Civil) No(s).30/2012

(From the judgement and order dated 02/09/2011 in CR No.179/2008  
of The HIGH COURT OF H.P AT SHIMLA)

HARI DASS SHARMA Petitioner(s)

VERSUS

VIKAS SOOD & ORS. Respondent(s)

(With appln(s) for exemption from filing O.T. and prayer for  
interim relief )

WITH SLP(C) NO. 776 of 2012  
(With prayer for interim relief and office report)

SLP(C) NO. 888 of 2012  
(With prayer for interim relief and office report)

SLP(C) No. 2971 of 2012  
(with prayer for interim relief and office report)

Date: 24/01/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CYRIAC JOSEPH  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s) Mr. Nidesh Gupta, Sr. Adv.  
Mr. Rishi Malhotra, Adv.

For Respondent(s) Mr. Dhruv Mehta, Sr. Adv.  
Mr. R.N.Karanjawala, Adv.  
Ms.Seema Sundd, Adv.  
Mr.Akhil Sachar, Adv.  
Ms.Manik Karanjaawala, Adv.  
M/S. Karanjawala & Co. ,Adv

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

SLP(C) No. 30 of 2012:

Issue notice to the respondents limited to the  
question whether the direction to permit the tenants  
to remain in occupation of the building till  
valid/revised building plan is produced before the

Executing Court is correct in view of the proviso to  
Sub-section of Sec. 14 of the Act.

Since the respondents have appeared on caveat  
through counsel, service of notice on the respondents  
is dispensed with.

Respondents may file counter affidavit within  
four weeks.

Rejoinder affidavit, if any, be filed within

two weeks thereafter.

Post immediately after six weeks.

SLP(C) No. 776 of 2012:

Issue notice to the respondents limited to the question whether the direction to permit the tenants to remain in occupation of the building till valid/revised building plan is produced before the Executing Court is correct in view of the proviso to Sub-section of Sec. 14 of the Act.

Since the respondents have appeared on caveat through counsel, service of notice on the respondents is dispensed with.

Respondents may file counter affidavit within four weeks.

Rejoinder affidavit, if any, be filed within two weeks thereafter.

Post immediately after six weeks.

SLP(C) No. 888 of 2012:

Issue notice to the respondents limited to the question whether the direction to permit the tenants to remain in occupation of the building till valid/revised building plan is produced before the Executing Court is correct in view of the proviso to Sub-section of Sec. 14 of the Act.

contd..3/-

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Since the respondents have appeared on caveat through counsel, service of notice on the respondents is dispensed with.

Respondents may file counter affidavit within four weeks.

Rejoinder affidavit, if any, be filed within two weeks thereafter.

Post immediately after six weeks.

SLP(C) No. 2971 of 2012:

Having considered the pleadings in the case, the materials placed on record and the submissions of the learned counsel, we do not find any merit in the special leave petition and hence the special leave petition is dismissed.

(Shashi Sareen)  
Court Master

(Renuka Sadana)  
Court Master