

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
R E C O R D O F P R O C E E D I N G S

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.

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 6th 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 4th 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 6th May, 2017, which is not later than forty-eight

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 8th May, 2017.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master