

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.5674/2009

PANDURANG GANPATI CHAUGULE

Appellant(s)

VERSUS

VISHWASRAO PATIL MURGUD SAHAKARI BANK L.
(With interim relief and office report)

Respondent(s)

WITH

C.A. No. 5675/2009
(With Interim Relief and Office Report)C.A. No. 5681/2009
(With Office Report)C.A. No. 5682/2009
(With Interim Relief and Office Report)C.A. No. 5683/2009
(With Interim Relief and Office Report)C.A. No. 5684/2009
(With Interim Relief)SLP(C) No. 25929/2009
(With Interim Relief and Office Report)SLP(C) No. 25930/2009
(With Interim Relief and Office Report)W.P. (C) No. 318/2010
(With appln.(s) for stay and Office Report)C.A. No. 1468/2010
(With Office Report)C.A. No. 4391/2010
(With Office Report)C.A. No. 7410/2010
SLP(C) No. 24309/2010

SLP(C) No.24309/309/2010

SLP(C) No. 29859/2010
(With Interim Relief and Office Report)

W.P. (C) No. 40/2011
(With appln.(s) for stay and Office Report)

W.P. (C) No. 41/2011
(With appln.(s) for stay and Office Report)

W.P. (C) No. 220/2011
(With appln.(s) for stay and Office Report)

W.P. (C) No. 269/2011
(With appln.(s) for stay and vacating stay and Office Report)

W.P. (C) No. 293/2011
(With appln.(s) for stay and Office Report)

W.P. (C) No. 306/2011
(With appln.(s) for stay and Office Report)

W.P. (C) No. 308/2011
(With appln.(s) for stay and Office Report)

W.P. (C) No. 338/2011
(With appln.(s) for stay and Office Report)

W.P. (C) No. 367/2011
(With appln.(s) for directions, interim directions and impleadment and Office Report)

W.P. (C) No. 375/2011
(With appln.(s) for stay and Office Report)

W.P. (C) No. 378/2011
(With appln.(s) for stay and Office Report)

W.P. (C) No. 411/2011
(With appln.(s) for stay and Office Report)

W.P. (C) No. 484/2011
(With appln.(s) for stay and vacating interim order and Office Report)

W.P. (C) No. 529/2011
(With appln.(s) for stay and vacating interim order and Office Report)

W.P. (C) No. 531/2011
(With appln.(s) for vacating interim order and stay and Office Report)

C.A. No. 2440/2011
(With Office Report)

SLP(C) No. 7295-7298/2011
(With Office Report)

SLP(C) No. 21260/2011
(With Interim Relief and Office Report)

SLP(C) No. 22304-22305/2011
(With Office Report)

SLP(C) No. 24479-24480/2011
(With Interim Relief and Office Report)

W.P. (C) No. 5/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 48/2012
(With appln.(s) for amendment of the petition and stay and Office Report)

W.P. (C) No. 97/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 103/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 111/2012
(With appln.(s) for vacating interim order and stay and Office Report)

W.P. (C) No. 122/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 123/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 199/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 248/2012
(With appln.(s) for stay and vacating interim order and Office Report)

W.P. (C) No. 249/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 250/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 291/2012
(With appln.(s) for ex-parte stay and Office Report)

W.P. (C) No. 293/2012
(With appln.(s) for ex-parte stay and Office Report)

W.P. (C) No. 369/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 371/2012
(With appln.(s) for ex-parte stay and Office Report)

W.P. (C) No. 386/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 460/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 461/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 487/2012
(With appln.(s) for stay and Office Report)

W.P. (C) No. 490/2012
(With appln.(s) for stay and vacating stay and Office Report)

W.P. (C) No. 521/2012
(With appln.(s) for vacating stay and stay and Office Report)

W.P. (C) No. 537/2012
(With appln.(s) for stay and permission to file additional documents and Office Report)

W.P. (C) No. 554/2012
(With appln.(s) for stay and Office Report)

SLP(C) Nos. 18732-18733/2012
(With Interim Relief and Office Report)

SLP(C) No. 24276/2012
(With Interim Relief and Office Report)

SLP(C) No. 30568/2012
(With Interim Relief and Office Report)

W.P. (C) No. 6/2013
(With appln.(s) for vacating stay and stay and Office Report)

W.P. (C) No. 7/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 36/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 37/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 51/2013
(With appln.(s) for stay and clarification of Court's order and Office Report)

W.P. (C) No. 52/2013
(With appln.(s) for stay and clarification of Court's order and Office Report)

W.P. (C) No. 58/2013
(With appln.(s) for stay and clarification of Court's order and Office Report)

W.P. (C) No. 111/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 112/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 138/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 146/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 151/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 175/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 179/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 181/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 191/2013
(With appln.(s) for stay and vacation of ex-parte stay and Office Report)

W.P. (C) No. 192/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 201/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 233/2013
(With appln.(s) for stay and substitution of respondent and Office Report)

W.P. (C) No. 236/2013
(With appln.(s) for stay and substitution of respondent and Office Report)

W.P. (C) No. 238/2013
(With appln.(s) for stay and substitution of respondent and Office Report)

W.P. (C) No. 248/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 250/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 253/2013
(With appln.(s) for stay and appln.(s) for vacating stay and Office Report)

W.P. (C) No. 264/2013
(With appln.(s) for stay and impleadment and Office Report)

W.P. (C) No. 265/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 266/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 270/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 271/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 279/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 280/2013
(With Office Report)

W.P. (C) No. 284/2013
(With appln.(s) for stay and impleadment and Office Report)

W.P. (C) No. 285/2013
(With appln.(s) for stay and vacating interim order and Office Report)

CONMT.PET. (C) No. 320/2013 In SLP(C) No. 15507/2013

W.P. (C) No. 353/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 452/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 469/2013
(With Office Report)

W.P. (C) No. 588/2013
(With appln.(s) for stay, impleadment and impleadment as party respondent and Office Report)

W.P. (C) No. 753/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 758/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 761/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 762/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 800/2013
(With appln.(s) for directions and Office Report)

W.P. (C) No. 819/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 868/2013
(With appln.(s) for interim directions and directions)

W.P. (C) No. 877/2013
(With appln.(s) for directions and Office Report)

W.P. (C) No. 922/2013
(With appln.(s) for directions and Office Report)

W.P. (C) No. 1007/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 1037/2013
(With appln.(s) for directions and stay and Office Report)

W.P. (C) No. 1043/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 1044/2013
(With appln.(s) for stay and Office Report)

W.P. (C) No. 1045/2013
(With appln.(s) for stay and Office Report)

SLP(C) No. 12916/2013
(With Interim Relief and Office Report)

SLP(C) No. 13100/2013
(With Interim Relief and Office Report)

SLP(C) No. 15507/2013
(With Office Report)

SLP(C) No. 15634-15635/2013
(With Office Report)

SLP(C) No. 17054/2013
(With Interim Relief and Office Report)

SLP(C) No. 18775/2013
(With Interim Relief and Office Report)

SLP(C) No. 18777/2013
(With Interim Relief and Office Report)

SLP(C) No. 25126/2013
(With Interim Relief)

SLP(C) No. 29720/2013
(With Office Report)

SLP(C) No. 29721/2013
(With Office Report)

SLP(C) No. 35137/2013
(With Interim Relief and Office Report)

W.P. (C) No. 5/2014
(With appln.(s) for stay and Office Report)

W.P. (C) No. 10/2014
(With appln.(s) for stay and Office Report)

W.P. (C) No. 33/2014
(With appln.(s) for stay and appln.(s) for impleadment and appln.
(s) for impleadment and Office Report)

W.P. (C) No. 40/2014
(With appln.(s) for directions and Office Report)

W.P. (C) No. 120/2014
(With appln.(s) for stay, impleadment and vacating interim
relief and Office Report)

W.P. (C) No. 142/2014
(With appln.(s) for ex-parte stay and Office Report)

W.P. (C) No. 168/2014
(With appln.(s) for vacating stay and stay and Office Report)

W.P. (C) No. 169/2014
(With appln.(s) for vacating stay and stay and Office Report)

W.P. (C) No. 208/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 240/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 272/2014
(With appln. (s) for ex-parte stay and Office Report)

W.P. (C) No. 352/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 408/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 417/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 420/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 421/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 492/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 712/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 714/2014
(With appln. (s) for stay)

W.P. (C) No. 737/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 738/2014
(With appln. (s) for stay and ex-parte stay and Office Report)

W.P. (C) No. 739/2014
(With appln. (s) for stay and ex-parte stay and Office Report)

W.P. (C) No. 740/2014
(With appln. (s) for stay and ex-parte stay and Office Report)

W.P. (C) No. 754/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 756/2014
(With appln. (s) for stay and Office Report)

W.P. (C) No. 779/2014

(With appln.(s) for stay and exemption from filing O.T. and Office Report)

S.L.P. (C)CC No. 7586/2014

(With appln.(s) for c/delay in filing SLP and Office Report)

W.P. (C) No. 795/2014

(With appln.(s) for stay and Office Report)

W.P. (C) No. 849/2014

(With appln.(s) for ex-parte stay and Office Report)

W.P. (C) No. 838/2014

(With appln.(s) for stay and Office Report)

W.P. (C) No. 827/2014

(With appln.(s) for ex-parte stay and Office Report)

W.P. (C) No. 929/2014

(With appln.(s) for interim relief and Office Report)

SLP(C) No. 32589/2014

(With Office Report)

Date : 04/02/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIL R. DAVE

HON'BLE MR. JUSTICE KURIAN JOSEPH

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Mr. Ankur S. Kulkarni, Adv.

Mr. Ankur Saigal, Adv.

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Mr. E.C. Agrawala, Adv.

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Mr. Ajay Kumar Singh, Adv.

Mr. D.P. Singh, Adv.
Ms. Sonam Gupta, Adv.
Mr. Raj Kiran, Adv.

Mr. Santosh Paul, Adv.
Mr. Harish Pandey, Adv.
Ms. Debopriyo Pal, Adv.

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Mr. Preshit Surshe, Adv.
Mr. Arjun Krishnan, Adv.

Mr. Shekhar Naphade, Sr. Adv.
Mr. Krishan Kumar, Adv.

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Mr. Kuldeep S. Parihar, Adv.
Mr. H.S. Parihar, Adv.

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Ms. Neha Sharma, Adv.
Mr. Deeptakirti Verma, Adv.

Mr. S. Aravindh, Adv.
Mr. A. Lakshmi Narayanan, Adv.
Mr. Senthil Jagadeesan, Adv.

Mr. Tapes Kumar Singh, Adv.
Mr. Mohd. Waquas, Adv.

Mr. Sachin Patil, Adv.
Mr. Shri Ram P. Pingle, Adv.

Mr. Pravin Satale, Adv.
Mr. Rajiv Shankar Dvivedi, Adv.

Mr. Rajeev K. Panday, Adv.
Mr. Rajeev M. Roy, Adv.

Mr. M.P. Vinod, Adv.
Mr. Atul Shankar Vinod, Adv.
Ms. Chandrani Prasad, Adv.

Mr. Anurag Singh, Adv.
Mr. A.K. Mishra, Adv.

Mr. Wasi Haider, Adv.
For Mr. C.S. Ashri, Adv.

Mr. Uday B. Dube, Adv.

Mr. Aniruddha P. Mayee, Adv.

Mr. Niraj Sharma, Adv.

Mr. M.T. George, Adv.

Mr. Shivaji M. Jadhav, Adv.
For M/s. S.M. Jadhav & Company, Adv.

Mr. C.K. Sasi, Adv.

Mr. Yash Pal Dhingra, Adv.

Ms. N. Annapoorani, Adv.

Mr. D.M. Nargolkar, Adv.

Mr. Piyush Sharma, Adv.

Mr. B. Subrahmanya Prasad, Adv.

Mr. V.N. Raghupathy, Adv.

Mr. Nirnimesh Dube, Adv.

Mr. Ravindra Keshavrao Adsure, Adv.

Ms. Hemantika Wahi, Adv.

Mr. S.N. Bhat, Adv.

Ms. Anuradha Mutatkar, Adv.

Mr. Sudhanshu S. Choudhari, Adv.

Mr. Rajesh Mahale, Adv.

Mr. Krishan Kumar, Adv.

Mr. Ashok K. Mahajan, Adv.

Mr. K. Rajeev, Adv.

Mr. Mohit Kr. Shah, Adv.

M/s. Dua Associates, Adv.

Ms. A. Sumathi, Adv.

Mr. M.Y. Deshmukh, Adv.

Ms. Sonal Jain, Adv.

Ms. Bharti Tyagi, Adv.

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

I.A.No.1 in SLP(C)No.25930/2009 :

Reply to the interlocutory application be filed
within 10 days from today.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in W.P.(C)No.269/2011 :

List on 18.02.2015 at 10.30 a.m.

I.A.No.3/2013, I.A.No.4/2013 and I.A.No.4/2014 in
SLP(C)No.15507/2013 :

Reply to the interlocutory application be filed
within 10 days from today.

List on 18.02.2015 at 10.30 a.m.

I.A.No.3 of SLP(C)No.21260/2011 :

As requested, additional affidavit be filed within 10 days from today by either side.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.529/2011 :

Reply to the interlocutory application be filed within 10 days from today.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.531/2011 :

Reply to the interlocutory application be filed within 10 days from today.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.248/2012 :

Reply to the interlocutory application be filed within 10 days from today.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.484/2011 :

Reply to the interlocutory application be filed within 10 days from today.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.33/2014 :

The application for impleadment is allowed.

Ad-interim relief, granted on 17.01.2014, is modified to the effect that the petitioner shall pay 25% of the amount payable as on 01.01.2015 as calculated by

the respondent-Bank or the assignee of the debt, who has been impleaded as party-respondent today within six weeks from today and further 25% of the amount, within one month thereafter.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.264/2013 :

The application for impleadment is allowed.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.284/2013 :

The application for impleadment is allowed.

List on 18.02.2015 at 10.30 a.m.

I.A.Nos.2 & 3 in WP(C)No.588/2013 :

The applications for impleadment are allowed.

List on 18.02.2015 at 10.30 a.m.

I.No.3 in WP(C)No.120/2014 :

The application for impleadment is allowed.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.120/2014 :

Heard the learned counsel for the respondent-Bank.

The learned counsel for the petitioner was not present when the matter was called out in the morning. Even in the afternoon, no body appears for the petitioner.

It has been submitted by the learned counsel for the respondent-Bank, that even prior to the filing of this petition, the property belonging to the petitioner had been disposed of for the purpose of recovery of amount

due and payable by the petitioner.

In the circumstances, ad-interim relief granted on 24.02.2014 is vacated.

List on 18.02.2015 at 10.30 a.m. for further orders.

I.A.No.2 in WP(C)No.1037/2013 :

Heard the learned counsel for the parties.

Ad-interim relief, granted on 17.12.2013, is modified to the effect that the petitioner shall pay 25% of the amount payable as on 01.01.2015 as calculated by the respondent-Bank or the assignee of the debt who has been impleaded as party-respondent today within six weeks from today and further 25% of the amount within one month thereafter.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.737/2014, I.A.No.2 in WP(C)No.738/2014, I.A.No.2 in WP(C)No.739/2014, I.A.No.2 in WP(C)No.740/2014 :

Detagged.

List on 13.07.2015 at 02.00 PM.

Interim relief granted earlier shall continue.

I.A.No.2 in WP(C)No.490/2012, I.A.No.2 in WP(C)No.521/2012, I.A.No.2 in WP(C)No.6/2013, I.A.No.2 in WP(C)No.253/2013 :

Reply to the interlocutory applications be filed within 10 days from today.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.48/2012 :

The application for impleadment is allowed.

The petitioner is permitted to file amended copy of the petition within 10 days from today.

List on 18.02.2015 at 10.30 a.m.

I.A.No.2 in WP(C)No.168/2014 and I.A.No.2 in WP(C) No.169/2014 :

Reply to the interlocutory applications be filed within 10 days from today.

List on 18.02.2015 at 10.30 a.m.

WP(C)No.922/2013 :

List on 18.02.2015 at 02.00 PM so as to enable the respondent-Bank to place on record further developments which have taken place during the pendency of this petition.

I.A.No.2 in WP(C)No.51/2013, I.A.No.2 in WP(C)No.52/2013, I.A.No.2 in WP(C)No.58/2013 :

Reply to the interlocutory applications be filed within 10 days from today.

List on 18.02.2015 at 10.30 a.m.

I.A.No.1/2013 in W.P.(C)No.877 of 2013 :

Heard the learned counsel for the petitioner. None appears for the respondents.

Ad-interim relief, granted on 30.9.2013, is modified to the effect that the petitioner shall pay 25% of the amount payable as on 01.01.2015 as calculated by the respondent-Bank or the assignee of the debt within six weeks from today and further 25% of the amount within one month thereafter.

With the aforesaid modification, the interim relief granted earlier shall continue.

List on 18.02.2015 at 10.30 a.m.

Intimation of this order be sent by the Registry to the respondents.

All the afore-stated matters will be heard along with the applications on 18.02.2015 at 10.30 a.m. for the whole day.

W.P.(C).1007/2013 :

Mr. Garvesh Kabra, learned counsel appearing for the petitioner(s) started his arguments at 3.45 p.m. but could not complete his arguments. The matter remained part-heard.

List WP(C)No.1007/2013, which remained part-heard, and the remaining matters tomorrow at 2.00 p.m. as Part-heard.

W.P.(C)No.111/2012 and 285/2013 :

The writ petitions are disposed of as withdrawn in terms of the signed order.

Ad-interim relief granted earlier shall stand vacated in both the matters.

(Sarita Purohit)
Court Master

(Sneh Bala Mehra)
Assistant Registrar

(Signed orders in W.P.(C)No.111/2012 and 285/2013
are placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) No. 111 of 2012

SMITA SUBHASHCHANDRA MAHAJAN

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

O R D E R

The learned counsel for the petitioner seeks permission to withdraw this writ petition in view of the changed circumstances.

Permission is granted with liberty to file fresh petition. The Writ Petition is, accordingly, disposed of as withdrawn.

Ad-interim relief granted earlier stands vacated.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
February 04, 2015.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) No. 285 of 2013

M/S SHREE BALAJI ASSOCIATES

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

O R D E R

The learned counsel for the petitioner seeks permission to withdraw this Writ Petition in view of the changed circumstances.

Permission is granted with liberty to file fresh petition. The Writ Petition is, accordingly, disposed of as withdrawn.

Ad-interim relief granted earlier stands vacated.

.....J.
[ANIL R. DAVE]

.....J.
[KURIAN JOSEPH]

New Delhi;
February 04, 2015.