

ITEM NO.16

COURT NO.11

SECTION XII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 21643/2022

(Arising out of impugned final judgment and order dated 30-03-2021 in WP No. 20707/2018 30-03-2021 in WP No. 9709/2020 30-03-2021 in WP No. 12548/2020 passed by the High Court For The State Of Telangana At Hyderabad)

S.J. YESHWANTH

Petitioner(s)

VERSUS

M/S SAI PAWAN ESTATES PVT. LTD. & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.100119/2022-CONDONATION OF DELAY IN FILING and IA No.100122/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.100118/2022-PERMISSION TO FILE PETITION (SLP/TP/WP/..) and IA No.100124/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 07-11-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s)

Mr. Ranjit Kumar, Sr. Adv.
Mr. Basava Prabhu Patil, Sr. Adv.
Mr. D. Abhinav Rao, AOR
Ms. Kanti, Adv.
Ms. Prerna Robin, Adv.

For Respondent(s)

Mr. D. Deshadri Naidu, Sr. Adv.
Mr. Mandeep Kalra , AOR
Ms. Radhika Narula, Adv.
Ms. Divya Singh Pundir, Adv.
Ms. Kanak Malik, Adv.
Mr. Rishabh Lekhi, Adv.
Ms. Garima Singh, Adv.
Mr. Praveen Gauda, Adv.
Mr. Roddam Prashanth Reddy, Adv.

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

The perusal of the order impugned in these petition(s) would reveal that the present special leave petition(s) arise from the

judgment and order dated 30.03.2021 passed by the Division Bench of the High Court for the State of Telangana at Hyderabad.

The perusal of the order dated 05.07.2021 would reveal that the notice has been issued in SLP(C) Nos. 7154, 7195 and 7186-88 of 2021 by the Bench Presided over by Hon'ble Ms. Justice Indira Banerjee (now Retd.) and Hon'ble Mr. Justice V. Ramasubramanian.

We are informed by Shri Ranjit Kumar, learned senior counsel appearing for the petitioner that those three matters were listed before the Bench consisting of Hon'ble Mr. Justice S. Abdul Nazeer and Hon'ble Mr. Justice V. Ramasubramanian.

Shri D. Seshadri Naidu, learned senior counsel appearing for the respondent submits that the matters are not similar.

The perusal of the record would further reveal that the present special leave petition(s) were also listed before the Bench presided over by Hon'ble Mr. Justice S. Abdul Nazeer on 26.09.2022. However, it appears that on the said day the prayer was made by some party to list the matter after four weeks.

Shri Ranjit Singh, learned senior counsel states that the said prayer was made by the respondent.

We, therefore, direct the Registry to take appropriate orders from the Chief Justice of India, to place the said matter before the Bench presided over by Hon'ble Mr. Justice S. Abdul Nazeer, before whom the other three matters are already listed on Wednesday, i.e. 09.11.2022.

We further direct the Secretary General to clarify as to why different matters arising out of the same order are being listed by the Registry before the different Benches.

It is difficult to understand as to why, when the present matter was listed before the Hon'ble Mr. Justice S. Abdul Nazeer on 26.09.2022, the same is listed before us today, specifically when the Bench consisting of Hon'ble Mr. Justice S. Abdul Nazeer and Hon'ble Mr. Justice V. Ramasubramanian is available even today.

The explanation by the learned Secretary General be submitted within a period of one week from today.

(DEEPAK SINGH)
COURT MASTER (SH)

(ANJU KAPOOR)
COURT MASTER (NSH)