

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 15946-15947 OF 2016
WITH PRAYER FOR INTERIM RELIEF

MAHENDRA BHIMRAO KHARAT AND ORS.

....PETITIONERS

-VERSUS-

MAHARASHTRA HOUSING AND AREA
DEVELOPMENT AUTHORITY AND ORS.

....RESPONDENTS

OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Court on 29th June, 2016, when the Court was pleased to pass the following Order:

"The only issue to be decided in this case is as to whether the fungible area is over and above 450 sq. ft. carpet area.

Issue notice on the above aspect, returnable in three weeks.

Dasti, in addition, is permitted.

However, we make it clear that the pendency of these Special Leave Petitions shall not stand in the way of the petitioners in vacating the premises and therefore, the petitioners are directed to vacate the premises subject to the decision on this aspect. "

It is submitted for the information of the Hon'ble Court that there are eight respondents in the instant matters. Accordingly, show cause notice was issued to all the respondents by Speed Post as well as dasti mode. Mr. Chirag M. Shroff, Advocate has filed vakaltnama/appearance on behalf of respondent No. 1 but he has not filed counter-affidavit so far. As per tracking report, notice have been served on respondent Nos. 2, 4 and 5. Notice has not been served on respondent Nos. 3 and 6 to 8 so far.

It is further submitted that counsel for the petitioner has not filed affidavit along-with proof of service on behalf of the respondents so far.

Service of notice is not complete on respondent Nos. 3 and 6 to 8.

The matter above mentioned is listed before the Hon'ble Court with this report.

Dated this the 10th day of August, 2016.

ASSISTANT REGISTRAR

Copy to:

Mr. Pukhrambam Ramesh Kumar, Advocate

ASSISTANT REGISTRAR