

ITEM NO.65

COURT NO.11

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(s).
15946-15947/2016

(Arising out of impugned final judgment and order dated 22/06/2016 in AFOS No. 14503/2016 22/06/2016 in CAST No. 14504/2016 passed by the High Court Of Bombay)

MAHENDRA BHIMRAO KHARAT AND ORS.

Petitioner(s)

VERSUS

MAHARASHTRA HOUSING AND AREA DEVELOPMENT
AUTHORITY AND ORS.

Respondent(s)

(with appln. (s) for exemption from filing c/c of the impugned judgment and exemption from filing O.T. and interim relief and office report)

Date : 29/06/2016 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Sanjay Parikh, Adv.
Mr. Pukhrambam Ramesh Kumar, Adv.
Mr. Nitesh Acharya, Adv.
Ms. Nini Susan Thomas, Adv.
Mr. Sumit Kumar Vats, Adv.

For Respondent(s)

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

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.

(Jayant Kumar Arora)
Sr. P.A.

(Chander Bala)
Court Master