

SECTION:XIV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NOS. 7-9
(Application for extension of time)
AND
INTERLOCUTORY APPLICATION NOS. 10-12
(Application for directions)

AND
INTERLOCUTORY APPLICATION NOS. 1-3 IN I.A. NOS. 10-12
(Application for permission to file additional documents)
IN
PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) Nos. 20689-20691/2015
WITH
PRAYER FOR INTERIM RELIEF

RAIL LAND DEVELOPMENT AUTHORITY ...PETITIONER
VERSUS
M/S. S.D. BUILDWELL PVT. LTD. ...RESPONDENT

OFFICE REPORT

The matters above mentioned were listed before Hon'ble Court on 14.09.2015, when the Court was pleased to pass the following order:-

"We have heard the arguments of learned senior counsel appearing for the parties at considerable length.

The impugned judgment and order of the High Court insofar as it allows the writ petition with the direction to refund the amount which the respondent had deposited, we do not find it to be a fit case for our interference under Article 136 of the Constitution. We note that the High Court has, insofar as the amount of refund is concerned, by impugned judgment and order directed the refund of Rs.30.32 crores, which was paid by the respondent to the petitioner. However, on this amount the interest is awarded at the rate of 12% per annum from the date of deposit. This part of the direction is modified and it is directed that the interest shall be calculated only from the date of termination of the contract i.e. 11.04.2012 and the amount in question shall be refunded within a period of four weeks from the date of receipt of a copy of this order.

...2/-

Mr. Jaideep Gupta, learned senior counsel appearing for the petitioner submits that the land which was handed over to the respondent is still occupied by it. It is needless to mention that at the time of refunding the amount, the possession of the land in question shall also be restored by the respondent to the petitioner.

Mr. Gupta also states that the petitioner has certain claims against the respondent. It shall be open to the petitioner to seek the remedies that are available in law in respect of those claims. Such claim(s), as and when raised, shall be decided on their own merit.

The special leave petitions are disposed of in the aforesaid terms."

It is further submitted that counsel for the petitioner has on 12.10.2015 filed application for extension of time by 8 weeks and application for direction/correction in the order dated 14.09.2015 (registered as I.A. Nos. 7-9 and 10-12 respectively) and the same has been placed with SLP Paper Books.

It is lastly submitted that counsel for the petitioner has on 16.11.2015 filed additional documents with application for permission to file additional documents in I.A. Nos. 10-12 (registered as I.A. Nos. 1-3) and the same has been included in I.A. Paper Books.

The applications in the matters above-mentioned are listed before the Hon'ble Court with this Office Report.

DATED THIS THE 17th DAY OF NOVEMBER, 2015.

ASSISTANT REGISTRAR

Copy to :

Mr. Saurabh Misra, Adv.

Ms. Liz Mathew, Adv.

ASSISTANT REGISTRAR

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