

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 3747 OF 2018
(Arising out of SLP (C) No(s). 17457 of 2016)

SRI SUMANJALI PROJECTS PVT. LTD AND ANR.

APPELLANT(S)

VERSUS

SYED IBRAHIM HASSAN KAZMI @ ASLAM KAZMI
AND ORS.

RESPONDENT(S)

O R D E R

Leave granted. We have heard learned counsel for the parties.

In view of the finding in the impugned order that no prima facie case is made out in favour of the respondents, the direction that "the appellant in C.M.A. No.960 Of 2015, who is respondent No.3 - developer, shall not alienate 50% of the share in 49% of share allotted towards Confirming Party - I and the Owners - II till disposal of arbitration proceedings" is unsustainable and is set aside.

The appeal is, accordingly, allowed.

.....J.
[ADARSH KUMAR GOEL]

.....J.
[ROHINTON FALI NARIMAN]

NEW DELHI
11th April, 2018

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). 17457/2016

(Arising out of impugned final judgment and order dated 10-02-2016 in CMA No. 959/2015 passed by the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh)

SRI SUMANJALI PROJECTS PVT. LTD AND ANR.

Petitioner(s)

VERSUS

SYED IBRAHIM HASSAN KAZMI @ ASLAM KAZMI
AND ORS.

Respondent(s)

(IA No.123128/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS and IA No.28404/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

WITH

S.L.P.(C)...CC No. 24882/2016 (XII-A)

(Application for condonation of delay refiling and filing the SLP)

Date : 11-04-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s)
(SLP No.17457
/2016)

Mr. Shyam Divan, Sr. Adv.
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Mr K. Sai Suneel, Adv.
Mr. Krishna Kumar Singh, Adv.
Mr. Piyush Dwivedi, Adv.
Mr. Krishna Bushan Chowdary, Adv.
M/S. Lawyer S Knit & Co, AOR

(SLP (C)
CC No.24882/2016)

Mr. Amrendra Sharan, Sr. Adv.
Mr. K.K. Waghray, Adv.
Mr. Amit K. Nain, AOR
Mr. Sanchit Guru, Adv.

For Respondent(s)
(SLP No.17457
/2016)

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Mr. P.S. Patwalia, Sr. Adv.
Mr. Y. Raja Gopala Rao, AOR
Ms. Y. Vismai Rao, Adv.
Mr. K. Sharat Kumar, Adv.

(SLP (C)
CC No.24882/2016)

Mr. Shyam Divan, Sr. Adv.
Mrs. S. Udaya Kumar Sagar, Adv.
Mr K. Sai Suneel, Adv.
Mr. Krishna Kumar Singh, Adv.
Mr. Piyush Dwivedi, Adv.
Mr. Krishna Bushan Chowdary, Adv.
M/S. Lawyer S Knit & Co, AOR

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

C.A. No.3747 of 2018 @ SLP No.17457/2016:

Leave granted.

The appeal is allowed in terms of the signed order.

Pending applications, if any, are also stand disposed of.

SLP(C) No..... of 2018 CC. No.24882/2016:

Heard learned counsel for the parties.

We do not find any ground to interfere with the impugned order. The special leave petition is, accordingly, dismissed.

Pending applications, if any, are also stand disposed of.

(SWETA DHYANI)
SENIOR PERSONAL ASSISTANT

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER

(Signed order is placed on the file)