

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2023
(arising out of Diary No(s). 41499 of 2023)

IMRAN HASAN PATHAN & OTHERS APPELLANT(S)

VERSUS

MACHINDRA M SHINDE & OTHERS RESPONDENT(S)

O R D E R

Leave to appeal is granted.

Delay condoned.

It is the contention of the appellants that notices were not issued to them and that they were not heard. The appellants claim to be the purchasers of the plot/land from a relative of the complainant.

Without going into the merits of the matter, we feel that it will be appropriate for the appellants to file an application for review/recall, which application, if filed, within a period of thirty days from today, will not be dismissed on the ground of limitation/delay. The application for review/recall will be examined and considered in accordance with law. We have not commented on merits.

Post the decision of the review/recall application, it will be open to the appellants to challenge the impugned judgment/order, if required and necessary, in accordance with law.

Recording the aforesaid, the appeal is dismissed.

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(BELA M. TRIVEDI)

NEW DELHI;
OCTOBER 19, 2023.

ITEM NO.21

COURT NO.3

SECTION XVII

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

CIVIL APPEAL Diary No(s). 41499/2023

(Arising out of impugned final judgment and order dated 31-03-2023 in OA No. 1/2023 passed by the National Green Tribunal, western Zone, Pune)

IMRAN HASAN PATHAN & ORS.

Petitioner(s)

VERSUS

MACHINDRA M SHINDE & ORS.

Respondent(s)

(IA No.215688/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.215693/2023-STAY APPLICATION and IA No.215692/2023-EXEMPTION FROM FILING O.T. and IA No.215687/2023-PERMISSION TO FILE APPEAL and IA No.215694/2023-CONDONATION OF DELAY IN FILING APPEAL and IA No.215689/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 19-10-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Petitioner(s) Ms. Indira Jaising, Sr. Adv.
Mr. Fuzail Ahmad Ayyubi, AOR
Mr. Paras Nath Singh, Adv.
Mr. Ibad Mushtaq, Adv.
Ms. Akanksha Rai, Adv.
Mr. Rohin Bhatt, Adv.

For Respondent(s)

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

Leave to appeal is granted.

Delay condoned.

The appeal is dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(Signed order is placed on the file)