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SLP(C)No. 5302 OF 1992  
ITEM NO. 102

COURT NO. 3

SECTION: XVI

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

Special Leave Petition (Civil) No. 5302/1992@@  
EE

PROPERTY OWNERS' ASSOCIATION & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(with appln. for stay and office report)

WITH

SLP (C) No. 5777/1992@@  
EE

VINODRAY HARKISHANDAS SANGHAVI & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay and office report)

SLP (C) No. 5204/1992@@  
EE

PRAMILA CHINTAMANI MOHANDAS & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay and office report)

SLP (C) No. 8797/1992@@  
EE

DHARAMDAS HARGOVINDDAS & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln(s) for c/delay in filing SLP and stay)

SLP (C) No. 7950/1992@@  
EE

DR. ASPI FRAMROZE GOLWALLA & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln(s) for stay and urging addl. grounds and office report)

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W.P.(C) No. 934/1992@@  
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PROPERTY OWNERS' ASSOCIATION & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln(s) for directions and urging addl. grounds and office report)

W.P. (C) No. 16/1996@@  
EEEEEEEEEEEEEEEEEEEE

YOGESH GANJAWALA . . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. . . . . RESPONDENT(S)

SLP (C) No. 6744/1993@@  
EEEEEEEEEEEEEEEEEEEE

MANJU KACHOLIA . . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay)

SLP (C) No. 2303/1995@@  
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VORA EXPORTS & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay)

SLP (C) No.13467/1995@@  
EEEEEEEEEEEEEEEEEEEE

RAJKUMARI NARINDERSAIN SINDHWANI . . . . . PETITIONER(S)

Versus

SPECIAL LAND AQN. OFFICER & ORS. . . . . RESPONDENT(S)

WITH

SLP (C) No. 4367/1992@@  
EEEEEEEEEEEEEEEEEEEE

SHIVRAM RAMAYYAA YERALA & ANR. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. . . . . RESPONDENT(S)  
(With appln. for stay and office report)  
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: 3 :

SLP (C) Nos. 6191-6192/1992@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

KRISHANLAL MOHANLAL THAKAR (DEAD) BY LRS..... PETITIONER(S)  
Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With appln(s) for directions and stay and impleading party)

W.P.(C) No. 342/1999@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

KAMLESH C. SHAH & ORS. . . . . PETITIONER(S)  
Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With office report)

W.P.(C) No. 469/2000@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

DHIRAJLAL JARADI . . . . . PETITIONER(S)  
Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With appln. for stay and office report)

W.P.(C) No. 672/2000@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

MADHUSUDAN J. DOSHI & ORS. . . . . PETITIONER(S)  
Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With appln. for ex-parte stay and office report)

W.P.(C) No. 660/1998@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

PROPERTY OWNERS ASSOCIATION & ORS. . . . . PETITIONER(S)  
Versus

STATE OF MAHARASHTRA . . . . . RESPONDENT(S)  
(With appln(s) for intervention and office report)

I.A.Nos. 2-3 in C.A. Nos. 2797-2798/1992@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

MALPE VISHWANATH ACHARYA AND ORS. . . . . APPELLANT (S)

Versus

STATE OF MAHARASHTRA . . . . . RESPONDENT(S)

(With appln. for directions)  
.PA

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SLP (C) No. 4129/1992@@  
EEEEEEEEEEEEEEEEEEEE

ANSUYA VASANTLAL CHOKSI & ANR. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. . . . . RESPONDENT(S)

(With appln(s) for interim relief and directions and office report)

Date: 14/02/2001 These matters were called on for hearing today.

CORAM:

HON'BLE MR. JUSTICE B.N. KIRPAL  
HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI  
HON'BLE MR. JUSTICE M.B. SHAH  
HON'BLE MRS. JUSTICE RUMA PAL  
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner(s)

in WPs 660/98, 934/92, Mr. F S Nariman, Sr. Adv.  
SLPs 7950/92, 2303/95, Mr. T R Andhyarujina, Sr. Adv.  
6191-92/92, 4129/92, Mr. Mulraj Shah, Mr. P H Parekh, Mr. E R  
IAs 2-3 in CAs 2797- Kumar, Mr. Subhash Sharma, Mr. Sameer P  
98/92 Parekh, Mr. Devarajan, Ms. Dhun Chhapgar,  
Mr. Rohit Mammen Alex and Ms. Ruchi  
Khurana, Advs.  
  
in SLPs 5302/92, Mr. U A Rana, Adv.  
5777/92, 5204/92 Ms. Shalini Mittal and Mr. Arvind Kumar, Advs.  
for M/s. Gagrat & Co., Advs.  
  
in SLP 8797/92 Mr. Anil Kumar Sinha, Adv.  
Mr. P Narasimhan, Adv.  
  
in WPs 16/96, 342/99, Mr. Ranjit Kumar, Sr. Adv.  
469/00, 672/00 Mr. T C Tolat, Adv.  
Mr. S R Setia, Adv.  
  
in SLP 6744/93 Mr. Vijay K Jain, Adv.  
  
in SLP 13467/95 Mr. P N Gupta, Adv.  
Mr. Alok Mahajan and Mr. O P Poplai, Advs.  
  
in SLP 4367/92 Ms. J S Wad, Adv.

For Respondent (s)

in SLP 5302/92  
No. 1(Maharashtra) Mr. Harish N Salve, Solicitor General  
Mr. S V Deshpande, Adv.

No.2 (MHADA) Mr. Ashok H Desai, Sr. Adv.  
Mr. Milind Sathe, Mr. Pallav Sisodia,  
Mr. Sanjay Hegde, Mr. Harsh Desai,  
Mr. Ashish Ahuja, Mr. M N Shroff,  
Mr. Anand S Bhatt and Mr. Ameet B Naik, Advs.

.PA : 5 :

RR 3 & 4 Mr. G L Sanghi, Sr. Adv.  
Mr. P B Agarwala, Ms. Praveena Gautam, Advs.  
Mr. S R Setia, Adv.  
Mr. E C Agrawala, Adv.

in SLPs 5777, 5204,  
8797, 7950/92, WP 16/96,  
SLPs 6744/93, 2303/95,  
13467/95, 4367/92,  
6191-92/92, WPs 342/99,  
469/00, 672/00 &  
SLP 4129/92 Mr. M N Shroff, Adv.

in SLP 7950/92,  
WP 934/92, SLP 6744/93,  
WP 469/00 & IAs 2-3  
in CAS 2797-98/92 Mr. S V Deshpande, Adv.

in WP 16/96 Mr. Gopal Balwant Sathe, Adv.(NP)

in SLP 6744/93 Mr. K V Sreekumar, Adv.(NP)

in SLP 2303/95 Mr. Gopal Jain, Adv.  
Ms. Nandini Gore, Mr. R N Karanjawala and  
Ms. Manik Karanjawala, Adv.

in SLP 13467/95 Mr. Sushil Kumar Jain, Adv.  
Mr. Manoj Swarup, Adv.  
Ms. Lalita Kohli and Ms. Maulina Swarup, Advs.  
for M/s. Manoj Swarup & Co., Advs.

in SLPs 6191-92/92 Mr. K V Sreekumar, Adv.(NP)

in WP 342/99 Mr. T V Ratnam, Adv. (NP)

in WP 469/00 Mr. A S Bhasme, Adv.  
Mr. Manoj Kumar Mishra, Adv.

in WP 660/98 Maharashtra State Mr. Ashok H Desai, Sr. Adv.  
Mr. S W Dhabe, Sr. Adv.  
Mr. Pallav Sisodia, Mr. Milind Sathe,  
Mr. Sanjay Hegde and Mr. S V Deshpande,  
Advs.

MHADA Mr. Harish N Salve, Solicitor General  
Mr. Anand S Bhatt, Adv.  
Mr. M N Shroff, Adv.  
Mr. Anil B Divan, Sr. Adv.  
Mr. Mahesh Agarwal, Mr. Keerit Shah,  
Mr. Rishi Agarwal, Mr. Vivek Yadav and





ITEM NO.101 (Part-Heard)

COURT NO. 3

SECTION: XVI

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

Special Leave Petition (Civil) No. 5302/1992@@  
EE

PROPERTY OWNERS' ASSOCIATION & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(with appln. for stay and office report)

WITH

SLP (C) No. 5777/1992@@  
EE

VINODRAY HARKISHANDAS SANGHAVI & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay and office report)

SLP (C) No. 5204/1992@@  
EE

PRAMILA CHINTAMANI MOHANDAS & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay and office report)

SLP (C) No. 8797/1992@@  
EE

DHARAMDAS HARGOVINDDAS & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln(s) for c/delay in filing SLP and stay)

SLP (C) No. 7950/1992@@  
EE

DR. ASPI FRAMROZE GOLWALLA & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With appln(s) for stay and urging addl. grounds and office report)  
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W.P.(C) No. 934/1992@@  
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PROPERTY OWNERS' ASSOCIATION & ORS. . . . . PETITIONER(S)  
Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With appln(s) for directions and urging addl. grounds and office  
report)

WITH  
W.P. (C) No. 16/1996@@  
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YOGESH GANJAWALA . . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. . . . . RESPONDENT(S)  
SLP (C) No. 6744/1993@@  
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MANJU KACHOLIA . . . . . PETITIONER(S)  
Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With appln. for stay)

SLP (C) No. 2303/1995@@  
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VORA EXPORTS & ORS. . . . . PETITIONER(S)  
Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With appln. for stay)

SLP (C) No.13467/1995@@  
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RAJKUMARI NARINDERSAIN SINDHWANI . . . . . PETITIONER(S)  
Versus

SPECIAL LAND AQN. OFFICER & ORS. . . . . RESPONDENT(S)

SLP (C) No. 4367/1992@@  
EEEEEEEEEEEEEEEEEEEE  
SHIVRAM RAMAYYAA YERALA & ANR. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. . . . . RESPONDENT(S)  
(With appln. for stay and office report)  
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SLP (C) Nos. 6191-6192/1992@@  
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KRISHANLAL MOHANLAL THAKAR (DEAD) BY LRS..... PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With appln(s) for directions and stay and impleading party)

W.P.(C) No. 342/1999@@  
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KAMLESH C. SHAH & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With office report)

W.P.(C) No. 469/2000@@  
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DHIRAJLAL JARADI . . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With appln. for stay and office report)

W.P.(C) No. 672/2000@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

MADHUSUDAN J. DOSHI & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)  
(With appln. for ex-parte stay and office report)

W.P.(C) No. 660/1998@@  
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PROPERTY OWNERS ASSOCIATION & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA . . . . . RESPONDENT(S)  
(With appln(s) for intervention and office report)

WITH

I.A.Nos. 2-3 in C.A. Nos. 2797-2798/1992@@



Chaudhry and Mr. S V Deshpande, Advs.

No.2 (MHADA)

Mr. Ashok H Desai, Sr. Adv.  
Mr. Milind Sathe, Mr. Pallav Sisodia,  
Mr. Sanjay Hegde, Mr. Harsh Desai,  
Mr. Anand S Bhatt, Mr. Ameet B Naik,  
Mr. Ashish A Ahuja and Mr. M N Shroff, Advs.

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: 5 :

RR 3 & 4

Mr. G L Sanghi, Sr. Adv.  
Mr. Vipin Sanghi, Mr. Pramod B Agarwala  
and Ms. Praveena Gautam, Advs.

Mr. S R Setia, Adv.

Mr. E C Agrawala, Adv.

in SLPs 5777, 5204,  
8797, 7950/92, WP 16/96,  
SLPs 6744/93, 2303/95,  
13467/95, 4367/92,  
6191-92/92, WPs 342/99,  
469/00, 672/00 &  
SLP 4129/92

Mr. M N Shroff, Adv.

in SLP 7950/92,  
WP 934/92, SLP 6744/93,  
WP 469/00 & IAs 2-3  
in CAs 2797-98/92

Mr. S V Deshpande, Adv.

in WP 16/96

Mr. Gopal Balwant Sathe, Adv.(NP)

in SLP 6744/93

Mr. K V Sreekumar, Adv.

in SLP 2303/95

Mr. Gopal Jain, Adv.  
Ms. Nandini Gore, Mr. R N Karanjawala and  
Ms. Manik Karanjawala, Adv.

in SLP 13467/95

Mr. Sushil Kumar Jain, Adv.

Mr. Manoj Swarup, Adv.  
Ms. Lalita Kohli and Ms. Maulina Swarup, Advs.  
for M/s. Manoj Swarup & Co., Advs.

in SLPs 6191-92/92  
for intervenor-applicants

Mr. K V Sreekumar, Adv.

in WP 342/99

Mr. T V Ratnam, Adv.  
Mr. C Mukund and Mr. Gaurav K Singh, Advs.

in WP 469/00

Mr. A S Bhasme, Adv.  
Mr. Manoj Kumar Mishra, Adv.

in WP 660/98  
Maharashtra State

Mr. Ashok H Desai, Sr. Adv.  
Mr. Pallav Sisodia, Mr. Milind Sathe,  
Mr. Sanjay Hegde, Mr. Harsh Desai and Mr. S V  
Deshpande, Advs.

MHADA

Mr. Harish N Salve, Solicitor General

Mr. Preetesh Kapoor, Mr. Aparajita Singh,  
Mr. Siddharth Goswami, Mr. Siddharth  
Chaudhry, Mr. Anand S Bhatt, Mr. Ameet B Naik,  
Mr. Ashish A Ahuja and Mr. M N Shroff, Advs.

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: 6 :

Mr. Anil B Divan, Sr. Adv.  
Mr. Mahesh Agarwal, Mr. Keerit Shah,  
Mr. Rishi Agarwal, Mr. Vivek Yadav and  
Mr. E C Agrawala, Advs.  
(for Tenants & Residents Association  
and JVPD Tenants & Residents Association)

RR 5

Mr. G L Sanghi, Sr. Adv.  
Mr. Vipin Sanghi, Mr. Pramod B Agarwala  
and Ms. Praveena Gautam, Advs.

Applicant in IA 3

Mr. Harish N Salve, Solicitor General  
Mr. Preetesh Kapoor, Mr. Aparajita Singh,  
Mr. Siddharth Goswami, Mr. Siddharth  
Chaudhry, Mr. Anand S Bhatt, Mr. Ameet  
B Naik, Mr. Ashish A Ahuja and  
M.N. Shroff, Advs.

Applicant in IA 4

Mr. Bhimrao N Naik, Sr. Adv.  
Mr. M N Shroff, Mr. Anand S Bhatt, Mr. Ameet  
B. Naik and Mr. Ashish A Ahuja, Advs.

Ms. Indu Malhotra, Adv. (NP)

Mr. Gopal Jain, Adv.  
Ms. Nandini Gore, Mr. R N Karanjawala and  
Ms. Manik Karanjawala, Advs.

intervenor

Mr. Sushil Karanjakar, Adv.  
Mr. A Venkateswar Rao, Adv.  
Mr. Vishwajit Singh, Adv.

intervenor

Mr. P N Gupta, Adv.

intervenor  
(I.A. No. 6)

Mr. Rajiv Dutta, Sr. Adv.  
Mr. Harish Ganatra, Ms. Minaz Merchant,  
Mr. Kapil Sharma and Mr. R Nedumaran, Advs.

Mr. K V Sreekumar, Adv.

Mr. Gopal Balwant Sathe, Adv.  
Mr. S M Jadhav, Adv.  
Ms. B Vijayalakshmi Menon, Adv.  
Mr. Prashant Kumar, Adv.  
Mr. Anip Sachthey, Adv.  
Mr. Prashant Chaudhary, Adv.  
Mr. M C Dhingra, Adv.  
Mr. Praveen Swarup, Adv.  
Mr. S K Verma, Adv.  
Ms. Bela Maheshwari, Adv.  
Ms. Geetanjali Mohan, Adv.  
Mr. Shrish Kumar Misra, Adv.  
(not present)

in SLP 4129/92

Mr. Uday Umesh Lalit, Adv.

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: 7 :

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

.....L.....I.....T.....T.....T.....T.....T.....T.....J

Mr. F S Nariman resumed his arguments at 10.35 A.M.  
and was on his legs when the Court rose for the day.

The matters remained part-heard.

Kalyani. (D.L. CHUGH) (D.P. WALIA) (K.K. CHADHA)@@  
AA  
COURT MASTER COURT MASTER COURT MASTER @@  
A AA

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ITEM NO. 101 (PART HEARD) COURT NO. 3 DATE:21.2.2001@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCC CCCCCCCCCC CCCCCCCCCCCCCC

CORAM AND APPEARANCE: Same as on 20.2.2001@@  
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Mr. F S Nariman resumed his arguments at 10.40 A.M.  
and concluded at 3.20 P.M. Thereafter, Mr. T R Andhyarujina  
started his arguments and was on his legs when the Court rose  
for the day.

The matters remained part-heard.

Kalyani. (D.L. CHUGH) (D.P. WALIA) (K.K. CHADHA)@@  
AA  
COURT MASTER COURT MASTER COURT MASTER @@  
A AA

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ITEM NO. 101 (PART HEARD) COURT NO. 3 DATE:22.2.2001@@  
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CORAM AND APPEARANCE: Same as on 20.2.2001@@  
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Mr. T R Andhyarujina resumed his arguments at 10.35  
A.M. and argued for five minutes. Thereafter, Mr. Ranjit  
Kumar argued till 11.40 A.M. Then Mr. Harish N. Salve  
commenced his arguments and was on his legs when the Court rose  
for the day.

The matters remained part-heard.

Kalyani. (D.L. CHUGH) (D.P. WALIA) (K.K. CHADHA)@@  
AA  
COURT MASTER COURT MASTER COURT MASTER @@  
A AA

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ITEM NO.101 (Part-Heard) COURT NO. 3 SECTION: XVI

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

Special Leave Petition (Civil) No. 5302/1992@@  
EE

PROPERTY OWNERS' ASSOCIATION & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(with appln. for stay and office report)

WITH

SLP (C) No. 5777/1992@@  
EE

VINODRAY HARKISHANDAS SANGHAVI & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay and office report)

SLP (C) No. 5204/1992@@  
EE

PRAMILA CHINTAMANI MOHANDAS & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay and office report)

SLP (C) No. 8797/1992@@  
EE

DHARAMDAS HARGOVINDDAS & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln(s) for c/delay in filing SLP and stay)

SLP (C) No. 7950/1992@@



SLP (C) No. 4367/1992@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

SHIVRAM RAMAYYAA YERALA & ANR. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. . . . . RESPONDENT(S)

(With appln. for stay and office report)

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:3 :

SLP (C) Nos. 6191-6192/1992@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

KRISHANLAL MOHANLAL THAKAR (DEAD) BY LRS..... PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln(s) for directions and stay and impleading party)  
(with appln(s) for permission to place file documents on record  
and with I.A. Nos. 12-13 - listed w.e.f. 28.2.2001)

W.P.(C) No. 342/1999@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

KAMLESH C. SHAH & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With office report)

W.P.(C) No. 469/2000@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

DHIRAJLAL JARADI . . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay and office report)

W.P.(C) No. 672/2000@@  
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MADHUSUDAN J. DOSHI & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for ex-parte stay and office report)

W.P.(C) No. 660/1998@@  
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PROPERTY OWNERS ASSOCIATION & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA ..... RESPONDENT(S)

(With appln(s) for intervention and office report)

WITH

I.A.Nos. 2-3 in C.A. Nos. 2797-2798/1992@@

EE

MALPE VISHWANATH ACHARYA AND ORS. .... APPELLANT (S)

Versus

STATE OF MAHARASHTRA ..... RESPONDENT(S)

(With appln. for directions)

.PA

:4:

SLP (C) No. 4129/1992@@

EE

ANSUYA VASANTLAL CHOKSI & ANR. .... PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. .... RESPONDENT(S)

(With appln(s) for interim relief and directions and office report)

Date: 27/02/2001 These matters were called on for hearing today.

CORAM:

HON'BLE MR. JUSTICE B.N. KIRPAL  
HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI  
HON'BLE MR. JUSTICE M.B. SHAH  
HON'BLE MRS. JUSTICE RUMA PAL  
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner(s)

in WPs 660/98, 934/92, Mr. F S Nariman, Sr. Adv.  
SLPs 7950/92, 2303/95, Mr. T R Andhyarujina, Sr. Adv.  
6191-92/92, 4129/92, Mr. Mulraj Shah, Adv.  
IAs 2-3 in CAs 2797- Mr. P H Parekh, Mr. E R Kumar,  
98/92 Mr. Subhash Sharma, Mr. Sameer  
Mr. Devarajan, Ms. Dhun Chhapgar,  
Mr. Rohit Mammen Alex and Ms. Ruchi  
Khurana, Advs.  
(Mr. Mulraj Shah, Adv., not present on  
27/28.2.2001)  
(Mr. F.S. Nariman, Sr. Adv., not  
present on 1.3.2001)

in SLPs 5302/92, Mr. U A Rana, Adv.  
5777/92, 5204/92 Ms. Shalini Mittal and Mr. Arvind Kumar, Advs.  
for M/s. Gagrat & Co., Advs.

in SLP 8797/92 Mr. Anil Kumar Sinha, Adv.  
Mr. P Narasimhan, Adv.

in WPs 16/96, 342/99, Mr. Ranjit Kumar, Sr. Adv.  
469/00, 672/00 Mr. T C Tolat, Adv.  
Mr. S R Setia, Adv.

in SLP 6744/93 Mr. Vijay K Jain, Adv.

in SLP 13467/95 Mr. P N Gupta, Adv.  
Mr. Alok Mahajan and Mr. O P Poplai, Advs.

in SLP 4367/92 Ms. J S Wad, Adv.

For Respondent (s)  
in SLP 5302/92  
No. 1(Maharashtra) Mr. Harish N Salve, Solicitor General  
Mr. Preetesh Kapoor, Ms. Aparajita Singh,  
Mr. Siddharth Goswami, Mr. Siddharth  
Chaudhry and Mr. S V Deshpande, Advs.

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: 5 :

No.2 (MHADA) Mr. Ashok H Desai, Sr. Adv.  
Mr. Milind Sathe, Mr. Pallav Sisodia,  
Mr. Sanjay Hegde, Mr. Harsh Desai,  
Mr. Anand S Bhatt, Mr. Ameet B Naik,  
Mr. Ashish A Ahuja and Mr. M N Shroff, Advs.

RR 3 & 4 Mr. G L Sanghi, Sr. Adv.  
Mr. Vipin Sanghi, Mr. Pramod B Agarwala  
and Ms. Praveena Gautam, Advs.

Mr. S R Setia, Adv.

Mr. Mahesh Agrawala, Adv.  
Mr. E C Agrawala, Adv.

in SLPs 5777, 5204,  
8797, 7950/92, WP 16/96,  
SLPs 6744/93, 2303/95,  
13467/95, 4367/92,  
6191-92/92, WPs 342/99,  
469/00, 672/00 &  
SLP 4129/92 Mr. M N Shroff, Adv.

in SLP 7950/92,  
WP 934/92, SLP 6744/93,  
WP 469/00 & IAs 2-3  
in CAS 2797-98/92 Mr. S V Deshpande, Adv.

in WP 16/96 Mr. Gopal Balwant Sathe, Adv.(NP)

in SLP 6744/93 Mr. K V Sreekumar, Adv.

in SLP 2303/95 Ms. Manik Karanjawala, Adv. (NP)

in SLP 13467/95 Mr. Sushil Kumar Jain, Adv.  
Mr. Manoj Swarup, Adv.  
Ms. Lalita Kohli and Ms. Maulina Swarup, Advs.  
for M/s. Manoj Swarup & Co., Advs.

in SLPs 6191-92/92  
for intervenor-applicants Mr. K V Sreekumar, Adv.

in WP 342/99 Mr. T V Ratnam, Adv.  
Mr. C Mukund and Mr. Gaurav K Singh, Advs.

in WP 469/00

Mr. A S Bhasme, Adv.  
Mr. Manoj Kumar Mishra, Adv.

in WP 660/98

Maharashtra State

Mr. Ashok H Desai, Sr. Adv.  
Mr. Pallav Sisodia, Mr. Milind Sathe,  
Mr. Sanjay Hegde, Mr. Harsh Desai and Mr. S V  
Deshpande, Adv.

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: 6 :

MHADA

Mr. Harish N Salve, Solicitor General  
Mr. Preetesh Kapoor, Ms. Aparajita Singh,  
Mr. Siddharth Goswami, Mr. Siddharth  
Chaudhry, Mr. Anand S Bhatt, Mr. Ameet B Naik,  
Mr. Ashish A Ahuja and Mr. M N Shroff, Adv.

for other respondent(s)/  
intervenor (s)

Mr. Anil B Divan, Sr. Adv.  
Mr. Mahesh Agarwal, Mr. Keerit Shah,  
Mr. Rishi Agarwal, Mr. Vivek Yadav and  
Mr. E C Agrawala, Adv.  
(for Tenants & Residents Association  
and JVPD Tenants & Residents Association)

Resp. No. 5

Mr. G L Sanghi, Sr. Adv.  
Mr. Vipin Sanghi, Mr. Pramod B Agarwala  
and Ms. Praveena Gautam, Adv.

Applicant in IA 3

Mr. Harish N Salve, Solicitor General  
Mr. Preetesh Kapoor, Ms. Aparajita Singh,  
Mr. Siddharth Goswami, Mr. Siddharth  
Chaudhry, Mr. Anand S Bhatt, Mr. Ameet  
B Naik, Mr. Ashish A Ahuja and  
M.N. Shroff, Adv.

Applicant in IA 4

Mr. Bhimrao N Naik, Sr. Adv.  
Mr. M N Shroff, Mr. Anand S Bhatt, Mr. Ameet  
B. Naik and Mr. Ashish A Ahuja, Adv.

Ms. Indu Malhotra, Adv. (NP)

Ms. Manik Karanjawala, Adv. (NP)

Mr. Sushil Karanjakar, Adv.

Mr. A Venkateswar Rao, Adv.

Mr. Vishwajit Singh, Adv.

Mr. P N Gupta, Adv.

(I.A. No. 6)

Mr. Rajiv Dutta, Sr. Adv.  
Mr. Harish Ganatra, Ms. Minaz Merchant,  
Mr. Kapil Sharma and Mr. R Nedumaran, Adv.

Mr. K V Sreekumar, Adv.

Mr. Gopal Balwant Sathe, Adv.

Mr. S M Jadhav, Adv.

Ms. B Vijayalakshmi Menon, Adv.

Mr. Prashant Kumar, Adv.

Mr. Anip Sachthey, Adv.

Mr. Prashant Chaudhary, Adv.

Mr. M C Dhingra, Adv.

Mr. Praveen Swarup, Adv.

Mr. S K Verma, Adv.

Ms. Bela Maheshwari, Adv.

Ms. Geetanjali Mohan, Adv.

Mr. Shrish Kumar Misra, Adv.  
(not present)

in SLP 4129/92

Mr. Uday Umesh Lalit, Adv. (NP)

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: 7 :

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

.....L.....I.....T.....T.....T.....T.....T.....T.....J

Mr. Harish N Salve resumed his arguments at 10.40 A.M.  
and was on his legs when the Court rose for the day.

The matters remained part-heard.

Kalyani. (D.L. CHUGH) (D.P. WALIA) (S.L. GOYAL) @@  
AA  
COURT MASTER COURT MASTER COURT MASTER @@  
A AA

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ITEM NO. 101 (PART HEARD) COURT NO. 3 DATE:28.2.2001@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCC CCCCCCCCCC CCCCCCCCCCCCCC

CORAM AND APPEARANCE: Same as Above.@@  
CCCCCCCCCCCCCCCCCCCCCCCC CCCCCCCCCCCCCC

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Mr. Harish N Salve resumed his arguments at 11.10 A.M.  
and was on his legs when the Court rose for the day.

The matters remained part-heard.

Kalyani. (D.L. CHUGH) (D.P. WALIA) (S.L. GOYAL) @@  
AA  
COURT MASTER COURT MASTER COURT MASTER @@  
A AA

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ITEM NO. 101 (PART HEARD) COURT NO. 3 DATE:01.03.2001@@  
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CORAM AND APPEARANCE: Same as above.@@  
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Mr. Harish N Salve resumed his arguments at 10.35 A.M. and concluded at 4.00 p.m.

The matters remained part-heard.

Kalyani. (D.L. CHUGH) (D.P. WALIA) (S.L. GOYAL) @@  
AA  
COURT MASTER COURT MASTER COURT MASTER @@  
A AA

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ITEM NO.101 (Part-Heard) COURT NO. 3 SECTION: XVI

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

Special Leave Petition (Civil) No. 5302/1992@@  
EE

PROPERTY OWNERS' ASSOCIATION & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(with appln. for stay and early hearing and office report)

WITH

SLP (C) No. 5777/1992@@  
EE

VINODRAY HARKISHANDAS SANGHAVI & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay and office report)

SLP (C) No. 5204/1992@@  
EE

PRAMILA CHINTAMANI MOHANDAS & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay and office report)

SLP (C) No. 8797/1992@@  
EE

DHARAMDAS HARGOVINDDAS & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln(s) for c/delay in filing SLP and stay)

SLP (C) No. 7950/1992@@  
EEEEEEEEEEEEEEEEEEEE

DR. ASPI FRAMROZE GOLWALLA & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln(s) for stay and urging addl. grounds and office report)

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: 2 :

WITH  
W.P.(C) No. 934/1992@@  
EEEEEEEEEEEEEEEEEEEE

PROPERTY OWNERS' ASSOCIATION & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln(s) for directions and urging addl. grounds and office report)

W.P. (C) No. 16/1996@@  
EEEEEEEEEEEEEEEEEEEE

YOGESH GANJAWALA . . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. . . . . RESPONDENT(S)

SLP (C) No. 6744/1993@@  
EEEEEEEEEEEEEEEEEEEE

MANJU KACHOLIA . . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay)

SLP (C) No. 2303/1995@@  
EEEEEEEEEEEEEEEEEEEE

VORA EXPORTS & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay)

SLP (C) No.13467/1995@@  
EEEEEEEEEEEEEEEEEEEE

RAJKUMARI NARINDERSAIN SINDHWANI . . . . . PETITIONER(S)

Versus

SPECIAL LAND AQN. OFFICER & ORS. . . . . RESPONDENT(S)

SLP (C) No. 4367/1992@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

SHIVRAM RAMAYYAA YERALA & ANR. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. . . . . RESPONDENT(S)

(With appln. for stay and office report)

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SLP (C) Nos. 6191-6192/1992@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

KRISHANLAL MOHANLAL THAKAR (DEAD) BY LRS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln(s) for directions and stay and impleading party and permission to place addl. documents on record) (with IA Nos.12-13)

W.P.(C) No. 342/1999@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

KAMLESH C. SHAH & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With office report)

W.P.(C) No. 469/2000@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

DHIRAJLAL JARADI . . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for stay and office report)

W.P.(C) No. 672/2000@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

MADHUSUDAN J. DOSHI & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. . . . . RESPONDENT(S)

(With appln. for ex-parte stay and office report)

W.P.(C) No. 660/1998@@  
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE

PROPERTY OWNERS ASSOCIATION & ORS. . . . . PETITIONER(S)

Versus

STATE OF MAHARASHTRA ..... RESPONDENT(S)

(With appln(s) for intervention and office report)

WITH

I.A.Nos. 2-3 in C.A. Nos. 2797-2798/1992@@

EE

MALPE VISHWANATH ACHARYA AND ORS. .... APPELLANT (S)

Versus

STATE OF MAHARASHTRA ..... RESPONDENT(S)

(With appln. for directions)

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:4:

SLP (C) No. 4129/1992@@

EE

ANSUYA VASANTLAL CHOKSI & ANR. .... PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. .... RESPONDENT(S)

(With appln(s) for interim relief and directions and office report)

Date: 13/03/2001 These matters were called on for hearing today.

CORAM:

- HON'BLE MR. JUSTICE B.N. KIRPAL
- HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI
- HON'BLE MR. JUSTICE M.B. SHAH
- HON'BLE MRS. JUSTICE RUMA PAL
- HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner(s)

in WPs 660/98, 934/92, Mr. F S Nariman, Sr. Adv.  
SLPs 7950/92, 2303/95, Mr. T R Andhyarujina, Sr. Adv.  
6191-92/92, 4129/92, Mr. Mulraj Shah, Adv.  
IAs 2-3 in CAs 2797- Mr. P H Parekh, Mr. S K Sethna, Mr. E R Kumar,  
98/92 Mr. Subhash Sharma, Mr. Sameer  
Mr. Devarajan, Ms. Dhun Chhapgar,  
Mr. Rohit Mammen Alex and Ms. Ruchi  
Khurana, Advs.

in SLPs 5302/92, Mr. U A Rana, Adv.  
5777/92, 5204/92 Ms. Shalini Mittal and Mr. Arvind Kumar, Advs.  
for M/s. Gagrat & Co., Advs.

in SLP 8797/92 Mr. Anil Kumar Sinha, Adv.  
Mr. P Narasimhan, Adv.

in WPs 16/96, 342/99, Mr. Ranjit Kumar, Sr. Adv.  
469/00, 672/00 Mr. T C Tolat, Adv.  
Mr. S R Setia, Adv.

in SLP 6744/93 Mr. Vijay K Jain, Adv.

in SLP 13467/95 Mr. P N Gupta, Adv.  
Mr. Alok Mahajan and Mr. O P Poplai, Advs.

in SLP 4367/92 Ms. J S Wad, Adv.

For Respondent (s)  
in SLP 5302/92  
No. 1(Maharashtra) Mr. Harish N Salve, Solicitor General  
Mr. Preetesh Kapoor, Ms. Aparajita Singh,  
Mr. Siddharth Goswami, Mr. Siddharth  
Chaudhry and Mr. S V Deshpande, Advs.

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: 5 :

No.2 (MHADA) Mr. Ashok H Desai, Sr. Adv.  
Mr. Milind Sathe, Mr. Pallav Sisodia,  
Mr. Sanjay Hegde, Mr. Harsh Desai,  
Mr. Anand S Bhatt, Mr. Ameet B Naik,  
Mr. Ashish A Ahuja and Mr. M N Shroff, Advs.

RR 3 & 4 Mr. G L Sanghi, Sr. Adv.  
Mr. Vipin Sanghi, Mr. Pramod B Agarwala  
and Ms. Praveena Gautam, Advs.

Mr. S R Setia, Adv.

Mr. Mahesh Agrawala, Adv.  
Mr. E C Agrawala, Adv.

in SLPs 5777, 5204,  
8797, 7950/92, WP 16/96,  
SLPs 6744/93, 2303/95,  
13467/95, 4367/92,  
6191-92/92, WPs 342/99,  
469/00, 672/00 &  
SLP 4129/92 Mr. M N Shroff, Adv.

in SLP 7950/92,  
WP 934/92, SLP 6744/93,  
WP 469/00 & IAs 2-3  
in CAs 2797-98/92 Mr. S V Deshpande, Adv.

in WP 16/96 Mr. Gopal Balwant Sathe, Adv.

in SLP 6744/93 Mr. K V Sreekumar, Adv.

in SLP 2303/95 Ms. Manik Karanjawala, Adv.

in SLP 13467/95 Mr. Sushil Kumar Jain, Adv.

Mr. Manoj Swarup, Adv.  
Ms. Lalita Kohli and Ms. Maulina Swarup, Advs.  
for M/s. Manoj Swarup & Co., Advs.

in SLPs 6191-92/92  
for intervenor-applicants Mr. K V Sreekumar, Adv.

in WP 342/99 Mr. T V Ratnam, Adv.  
Mr. C Mukund and Mr. Gaurav K Singh, Advs.

in WP 469/00

Mr. A S Bhasme, Adv.  
Mr. Manoj Kumar Mishra, Adv.

in WP 660/98  
Maharashtra State

Mr. Ashok H Desai, Sr. Adv.  
Mr. Pallav Sisodia, Mr. Milind Sathe,  
Mr. Sanjay Hegde, Mr. Harsh Desai and Mr. S V  
Deshpande, Adv.

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: 6 :

MHADA  
Mr. Harish N Salve, Solicitor General  
Mr. Preetesh Kapoor, Ms. Aparajita Singh,  
Mr. Siddharth Goswami, Mr. Siddharth  
Chaudhry, Mr. Anand S Bhatt, Mr. Ameet B Naik,  
Mr. Ashish A Ahuja and Mr. M N Shroff, Adv.

for other respondent(s)/  
intervenor (s)

Mr. Anil B Divan, Sr. Adv.  
Mr. Mahesh Agarwal, Mr. Keerit Shah,  
Mr. Rishi Agarwal, Mr. Vivek Yadav and  
Mr. E C Agrawala, Adv.  
(for Tenants & Residents Association  
and JVPD Tenants & Residents Association)

Resp. No. 5  
Mr. G L Sanghi, Sr. Adv.  
Mr. Vipin Sanghi, Mr. Pramod B Agarwala  
and Ms. Praveena Gautam, Adv.

Applicant in IA 3  
Mr. Harish N Salve, Solicitor General  
Mr. Preetesh Kapoor, Ms. Aparajita Singh,  
Mr. Siddharth Goswami, Mr. Siddharth  
Chaudhry, Mr. Anand S Bhatt, Mr. Ameet  
B Naik, Mr. Ashish A Ahuja and  
M.N. Shroff, Adv.

Applicant in IA 4  
Mr. Bhimrao N Naik, Sr. Adv.  
Mr. M N Shroff, Mr. Anand S Bhatt, Mr. Ameet  
B. Naik and Mr. Ashish A Ahuja, Adv.

Ms. Indu Malhotra, Adv.

Ms. Manik Karanjawala, Adv.

Mr. Sushil Karanjakar, Adv.  
Mr. A Venkateswar Rao, Adv.  
Mr. Vishwajit Singh, Adv.

Mr. P N Gupta, Adv.

(I.A. No. 6)

Mr. Rajiv Dutta, Sr. Adv.  
Mr. Harish Ganatra, Ms. Minaz Merchant,  
Mr. Kapil Sharma and Mr. R Nedumaran, Adv.

Mr. K V Sreekumar, Adv.

Mr. Gopal Balwant Sathe, Adv.

Mr. S M Jadhav, Adv.  
Ms. B Vijayalakshmi Menon, Adv.  
Mr. Prashant Kumar, Adv.  
Mr. Anip Sachthey, Adv.  
Mr. Prashant Chaudhary, Adv.  
Mr. M C Dhingra, Adv.  
Mr. Praveen Swarup, Adv.  
Mr. S K Verma, Adv.  
Ms. Bela Maheshwari, Adv.  
Ms. Geetanjali Mohan, Adv.

Mr. Shrish Kumar Misra, Adv.

in SLP 4129/92

Mr. Uday Umesh Lalit, Adv.

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: 7 :

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

.....L.....I.....T.....T.....T.....T.....T.....T.....J

Mr. Harish N Salve addressed his further submissions upto 11.00 A.M. Thereafter, Mr. Ashok H Desai commenced his arguments and was on his legs when the Court rose for the day.

The matters remained part-heard.

Kalyani. (D.L. CHUGH) (S.L. GOYAL) @@  
AA  
COURT MASTER COURT MASTER @@  
A AA

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ITEM NO. 101 (PART HEARD) COURT NO. 3 DATE:14.3.2001@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCC CCCCCCCCCC CCCCCCCCCCCCCC

CORAM AND APPEARANCE: Same as Above.@@  
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UPON hearing counsel, the Court made the following  
ORDER

For the reasons to be recorded, these matters are referred to a larger Bench.

Kalyani. (D.L. CHUGH) (D.P. WALIA) (S.L. GOYAL) @@  
AA  
COURT MASTER COURT MASTER COURT MASTER @@  
A AA

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ITEM NO.1A (for orders) COURT NO. 3 SECTION: XVI





W.P.(C) No. 469/2000@@  
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DHIRAJLAL JARADI ..... PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. .... RESPONDENT(S)  
(With appln. for stay and office report)

W.P.(C) No. 672/2000@@  
EEEEEEEEEEEEEEEEEEEE

MADHUSUDAN J. DOSHI & ORS. .... PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ORS. .... RESPONDENT(S)  
(With appln. for ex-parte stay and office report)

W.P.(C) No. 660/1998@@  
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PROPERTY OWNERS ASSOCIATION & ORS. .... PETITIONER(S)

Versus

STATE OF MAHARASHTRA .... RESPONDENT(S)  
(With appln(s) for intervention and office report)

WITH  
I.A.Nos. 2-3 in C.A. Nos. 2797-2798/1992@@  
EEEEEEEEEEEEEEEEEEEE

MALPE VISHWANATH ACHARYA AND ORS. .... APPELLANT (S)

Versus

STATE OF MAHARASHTRA .... RESPONDENT(S)  
(With appln. for directions)

SLP (C) No. 4129/1992@@  
EEEEEEEEEEEEEEEEEEEE

ANSUYA VASANTLAL CHOKSI & ANR. .... PETITIONER(S)

Versus

STATE OF MAHARASHTRA & ANR. .... RESPONDENT(S)  
(With appln(s) for interim relief and directions and office report)

Date: 21/03/2001 These matters were called on for orders today.

CORAM:

HON'BLE MR. JUSTICE B.N. KIRPAL  
HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI  
HON'BLE MR. JUSTICE M.B. SHAH  
HON'BLE MRS. JUSTICE RUMA PAL  
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner(s)@@  
BBBBBBBBBBBBBBBB

in WPs 660/98, 934/92, Mr. FS Nariman, Sr. Adv.  
SLPs 7950/92, 2303/95, Mr. TR Andhyarujina, Sr. Adv.  
6191-92/92, 4129/92, Mr. PH Parekh, Mr. Sameer Parekh,  
IAs 2-3 in CAs 2797- Mr. ER Kumar, Mr. Rohit Alex and  
98/92 Mr. Devarajan, Advs.

in SLPs 5302/92,  
5777/92, 5204/92 Mr. U A Rana, Adv.  
for M/s. Gagrath & Co., Advs.

in SLP 8797/92 Mr. P Narasimhan, Adv.

in WPs 16/96, 342/99,  
469/00, 672/00 Mr. Ranjit Kumar, Sr. Adv.  
Mr. SR Setia, Adv.

in SLP 6744/93 Mr. Vijay K Jain, Adv.

in SLP 13467/95 Mr. P N Gupta, Adv.

in SLP 4367/92 Ms. J S Wad, Adv.

For Respondent (s)@@  
BBBBBBBBBBBBBBBBBBBB  
in SLP 5302/92 Mr. SV Deshpande, Adv.  
No. 1(Maharashtra)

No.2 (MHADA) Mr. Ashok H Desai, Sr. Adv.  
Mr. MN Shroff, Adv.

RR 3 & 4 Mr. Pramod B Agarwala  
Mr. S R Setia, Adv.  
Mr. E C Agrawala, Adv.

in SLPs 5777, 5204,  
8797, 7950/92, WP 16/96,  
SLPs 6744/93, 2303/95,  
13467/95, 4367/92,  
6191-92/92, WPs 342/99,  
469/00, 672/00 &  
SLP 4129/92 Mr. M N Shroff, Adv.

in SLP 7950/92,  
WP 934/92, SLP 6744/93,  
WP 469/00 & IAs 2-3  
in CAs 2797-98/92 Mr. S V Deshpande, Adv.

in WP 16/96 Mr. Gopal Balwant Sathe, Adv.

in SLP 6744/93 Mr. K V Sreekumar, Adv.

in SLP 2303/95 Ms. Manik Karanjawala, Adv.

in SLP 13467/95 Mr. Sushil Kumar Jain, Adv.  
Mr. Manoj Swarup, Adv.  
for M/s. Manoj Swarup & Co., Advs.

in SLPs 6191-92/92  
for intervenor-applicants Mr. K V Sreekumar, Adv.

in WP 342/99 Mr. T V Ratnam, Adv.

in WP 469/00 Mr. A S Bhasme, Adv.

in WP 660/98  
Maharashtra State Mr. Ashok H Desai, Sr. Adv.  
Mr. SV Deshpande, Advs.

MHADA Mr. MN Shroff, Adv.

for other respondent(s)/  
 intervenor (s) Mr. Anil B Divan, Sr. Adv.  
 Mr. E C Agrawala, Adv.  
 (for Tenants & Residents Association  
 and JVPD Tenants & Residents Association)

Mr. Pramod B Agarwala, Adv.  
 Mr. M N Shroff, Adv.  
 Ms. Indu Malhotra, Adv.  
 Ms. Manik Karanjawala, Adv.  
 Mr. Vishwajit Singh, Adv.  
 Mr. P N Gupta, Adv.  
 Mr. R Nedumaran, Adv.  
 Mr. K V Sreekumar, Adv.  
 Mr. Gopal Balwant Sathe, Adv.  
 Mr. S M Jadhav, Adv.  
 Ms. B Vijayalakshmi Menon, Adv.  
 Mr. Prashant Kumar, Adv.  
 Mr. Anip Sachthey, Adv.  
 Mr. Prashant Chaudhary, Adv.  
 Mr. M C Dhingra, Adv.  
 Mr. Praveen Swarup, Adv.  
 Mr. S K Verma, Adv.  
 Ms. Bela Maheshwari, Adv.  
 Ms. Geetanjali Mohan, Adv.  
 Mr. Shrish Kumar Misra, Adv.

in SLP 4129/92 Mr. Uday Umesh Lalit, Adv.

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The Court recorded the reasons in the signed order for referring these matters to a larger Bench and, inter alia,@@  
 CCCCCCCCCC  
 observed/ordered as follows :

.....L.....I.....T.....T.....T.....J.....

"..... that the views expressed in Sanjeev Coke's case require reconsideration. Keeping in view the importance of the point in issue, namely, the interpretation of Article 39(b) it will be appropriate if these cases are heard by a larger Bench of not less than Seven Judges.

The papers be laid before Hon'ble the Chief Justice for appropriate orders."

.....L.....I.....T.....T.....T.....T.....T.....T.....J.....

Kalyani. (S.L. GOYAL) @@  
 AA  
 COURT MASTER @@  
 A AAA

Non-Reportable Signed order is placed on the file