

ITEM NO.21+59

COURT NO.13

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) Diary No. 53184/2025

[Arising out of impugned final judgment and order dated 29-08-2025 in MAT No. 2420/2023 passed by the High Court at Calcutta]

MANOJ KUMAR BANTHIA & ORS.

Petitioner(s)

VERSUS

ELITA GARDEN VISTA PRIVATE LIMITED & ORS.

Respondent(s)

FOR ADMISSION, IA No. 235340/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 235336/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

WITH

SLP(C) No. 26686/2025 (XVI)

FOR ADMISSION

SLP (C) No. 26997/2025

IA No. 237408/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Diary No(s). 52431/2025 (XVI)

IA No. 238208/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 238207/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Date : 22-09-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR

HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr. Adv.

Mr. Dharav Shah, Adv.

Mr. Shubham Saini, Adv.

Mr. Yash Johri, Adv.

Mr. Aayush Maheshwari, Adv.

Mr. Pranaya Goyal, AOR

Mr. Mukul Rohatgi, Sr. Adv.

Mr. Nakul Divan, Sr. Adv.

Mr. Ankur Saigal, Adv.

Ms. S Lakshmi Iyer, Adv.

Ms. Deepshikha Mishra, Adv.

Mr. Uday Aditya Singh, Adv.

Mr. E. C. Agrawala, AOR

Mr. Mahesh Agarwal, Adv.
Mr. Saptarishi Dutta, Adv.

Mr. Dhruv Mehta, Sr. Adv.
Mr. Ankur Mittal, Adv.
Mr. Keith Verghese, Adv.
Ms. Paromita Majumdar, Adv.
Ms. Rabaica Jaiswal, Adv.
Ms. Harsimran Kaur Rai, AOR
Ms. Meenakshi Vimal, Adv.
Mr. Nikhil Goel, Adv.
Ms. Tanu Jain, Adv.

Mr. Shyam Divan, Sr. Adv.
Ms. Paromita Majumdar, AOR
Mr. Rongon Choudhury, Adv.
Ms. Meenakshi Vimal, Adv.
Mr. Nikhil Goel, Adv.
Ms. Tanu Jain, Adv.

For Respondent(s) Mr. Vikas Singh, Sr. Adv.
Mr. Sabyasachi Chowdhury, Sr. Adv.
Mr. Rajashri Datta, Adv.
Ms. Pooja Chakrabarti, Adv.
Ms. Radhika Mishra, Adv.
Mr. Soorjya Ganguly, Adv.
Ms. Arti Bhattacharyya, Adv.
Mr. Rishay Raj, Adv.
Ms. Komal Mundhra, AOR

Mr. Sanjay Kapur, AOR
Mr. Surya Prakash, Adv.
Ms. Shubhra Kapur, Adv.
Ms. Mahima Kapur, Adv.
Mr. Anuraj Mishra, Adv.

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

Permission to file the special leave petition is granted.

Applications for exemption from filing certified copies of the
impugned judgment(s)/order(s) are allowed.

Permission to file additional documents is granted.

Issue notice, returnable on 11.11.2025.

Ms. Komal Mundhra, learned counsel, who is present in Court on advance notice/caveat, waives service and accepts notice on behalf of respondent No. 29. Hence, notice need not be served on the said respondent.

Notice upon the unrepresented respondents shall be served by all modes, including *dasti*.

Counter affidavits/replies shall be filed well before the next date of hearing to enable the learned counsel for the petitioners to file their rejoinders, if any.

The directions in paragraphs 234 and 235 of the impugned judgment/order dated 29.08.2025 shall remain stayed till the next date of hearing.

However, no third-party rights/interests shall be created by any of the parties before us in the buildings, which are in dispute, that is, residential tower No. 8 and the commercial tower.

(BABITA PANDEY)
AR-CUM-PS

(PREETI SAXENA)
COURT MASTER (NSH)