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SLP(C)No. 793 OF 2002  
ITEM No.43

Court No. 2

SECTION IVB  
A/N MATTER

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 (Civil) No.793/2002

(From the judgement and order dated 17/09/2001 in RSA 1350/81  
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

IQBAL SINGH

Petitioner (s)

VERSUS

MOHINDER SINGH & ORS.

Respondent (s)

(With appln(s). for exemption from filing O.T.)  
(With I.A.Nos.3 & 4 - Applns. for substitution and c/delay in  
filing substitution application)  
(With prayer for interim relief)

Date : 02/12/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE  
HON'BLE MR. JUSTICE ASHOK BHAN  
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s) Mr. Harbans Lal, Sr.Adv.  
Mr. Ashok K. Mahajan,Adv.

For Respondent (s)  
No. 1 Mr. Manoj Swarup,Adv.

Nos.3,13,15,16,18,  
20-23,25,27 & Lrs.  
of Res.No. 17 Mr. Arvind Kr. Gupta, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J  
Heard counsel.

Leave granted.

The appeal is allowed. There shall be no order as  
to costs.

No orders on I.A. Nos. 3 and 4.

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(Alka Dudeja)  
Court Master

(S. Krishnan)  
Court Master

Signed order is placed on the file.

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CIVIL APPELLATE JURISDICTION

Civil Appeal No. 7991 of 2002@@  
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(Arising out of S.L.P.(C) No. 793 of 2002)

Iqbal Singh ... Appellant (s)

VERSUS

Mohinder Singh & Ors. ... Respondent (s)

O R D E R@@  
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.....L.....I.....T.....T.....T.....T.....T.....T.....J  
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Heard counsel.

Leave granted.

Learned counsel appearing for respondent No.1 conceded that the question framed by the High Court does not constitute substantial question of law and it is jointly agreed by the parties that this case may be remitted to the High Court to decide the second appeal in terms of Section 100 of the Code of Civil Procedure. In that view of the matter, the judgment under challenge is set aside and the appeal is remitted to the High Court for decision expeditiously in conformity with the provisions of Section 100 of the Code of Civil Procedure.

The appeal is allowed. There shall be no order as to costs.

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.....J.@@  
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(V.N. Khare)@@  
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.....J.@@  
BBBBBBBBBBBBBBBBBBBBBBBBBBBB  
(Ashok Bhan)@@  
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.....J.@@  
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(Arun Kumar)@@  
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New Delhi,  
December 02, 2002