

SLP(Crl.)No. 318-319 OF 2002
ITEM No.31

Court No. 6

SECTION II
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Crl.) No. 318-319/2002

(From the judgement and order dated 03/10/2000 in CRLP 3095/98 and
order dated 21.11.2001 in Crl.M.P.No.6403/2001 of The HIGH COURT
OF A.P AT HYDERABAD)

NAWAB SHAHAMAT ALI KHAN & ANR. Petitioner (s)

VERSUS

NAWAB HIMAYATH ALI MIRZA & ORS. Respondent (s)

(With Appln(s). for exemption from filing c/c of the impugned
Judgment and stay)

Date : 09/07/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH
HON'BLE MR. JUSTICE BISHESHWAR PRASAD SINGH

For Petitioner (s)

Mr.M.N.Rao,Sr.Adv.,
Mr.S.S.S. Reddy,Adv.,
Mrs.S. Usha Reddy,Adv.

For Respondent (s)

Mr. T. Anamika,Adv.,
Mr.Guntur Prabhakar,Adv.

Mr.T.N. Rao,Adv.

UPON hearing counsel the Court made the following

O R D E R

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Exemption allowed.
Leave granted.

Heard the learned counsel for the parties.

The appeals are allowed, impugned orders passed by
the High Court are set aside. Matters are remitted to the
High Court for deciding it in accordance with law.

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(Vijay Kumar Sharma)
Court Master

(Janki Bhatia)
Court Master

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL Nos.645-646 OF 2002
(Arising out of SLP (Crl) Nos.318-319 of 2002)

Nawab Shahamat Ali Khan & Anr.
Versus
Nawab Himayath Ali Mirza & Ors.

& Appellants
& Respondents

O R D E R

Leave granted.

Heard the learned counsel for the parties.

It has been contended on behalf of the appellants that there was no compromise between the parties as recorded by the learned Judge, nor there is settlement out of the Court. It is submitted that the petition is decided solely on the basis that matter is settled out of the Court. Learned counsel for the parties are not in position to produce any settlement as alleged.

In this view of the matter, appeals are allowed. Impugned orders passed by the High Court are set aside. Matters are remitted to the High Court for deciding it in accordance with law.

.& & & & & & & & & ..J.
(M.B. Shah)

& & ..& & & & & & & & J.
(Bisheshwar Prasad Singh)

New Delhi,
July 9, 2002.