

SLP(C)No. 2947 OF 2002
ITEM No.202

Court No. 8

SECTION XIIA
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 (Civil) No.2947/2002

(From the judgment and order dated 4.12.2001 in Appeal against Order No.2579 of 2001 of The High Court of Judicature: Andhra Pradesh, Hyderabad)

GUDAPATI RAMA SITA

Petitioner (s)

VERSUS

GUDAPATI VEERA VENKATA D.V.PRASAD & ORS

Respondent (s)

(With prayer for interim relief)(With office report)
(For Final Disposal)
With
SLP(C)No.680/2002
(With prayer for interim relief)(With office report)
(For Final Disposal)

Date : 07/11/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner (s)Mr. Chava Badri Nath Babu, Adv.
Mr. Bimal Roy Jad,Adv.

Mr. Rameshwar Prasad Goyal, Adv.

For Respondent (s)Mr. G. Ramakrishna Prasad, Adv.
Mr. Mohd. Wasay Khan, Adv.
Mr. K.C. Sudershan, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

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

SLP(C) No.2947/2002
Leave granted.

The appeal is disposed of in terms of the signed order. There will be no order as to costs.

SLP(C) No.680 of 2002

We see no reason to interfere.
The Special Leave Petition is dismissed.
It will be open for the petitioner to make an appropriate application before the trial court.

(K.K. Chawla)
Court Master

(Jasbir Singh)
Court Master

[Common signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO..... OF 2003
(ARISING OUT OF SLP (CIVIL) NO.2947 OF 2002

GUDAPATI RAMA SITA

Appellant (s)

VERSUS

GUDAPATI VEERA VENKATA D.V.PRASAD & ORS.

Respondent (s)

WITH

SPECIAL LEAVE PETITION (CIVIL) No.680 OF 2002

MALLINA YESUPRASADA RAO Petitioner (s)

VERSUS

GUDAPATI VEERA VENKATA D.V. PRASAD & ORS.

Respondent (s)

O R D E R

SPECIAL LEAVE PETITION (CIVIL) No.2947 OF 2002

Leave granted.

This appeal is against an interim order passed by the High Court. Parties are agreed that in the Suit itself a decree for partition of the properties may be passed by the trial court after deciding the shares to which each party is entitled. We, therefore, request the trial court to pass a decree for partition after determining the shares. The trial court to so determine within a period of six months from today. In the meantime, impugned order to continue. The appeal is disposed of accordingly. There will be no order as to costs.

SPECIAL LEAVE PETITION (CIVIL) No.680 OF 2002

We see no reason to interfere.

The Special Leave Petition is dismissed.

It will be open for the petitioner to make an appropriate application before the trial court.

.....J.
(S.N. Variava)

.....J.
(Dr. AR. Lakshmanan)
New Delhi;
November 07, 2003.