

ITEM NO.106

COURT NO.8

SECTION XVII

SUPR EME COUR T OF I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 2020 OF 2004

H.T. GANGAL

Appellant (s)

VERSUS

S.K. KATTI & ORS.

Respondent(s)

(With appln(s) for ad-interim ex-parte stay and declaration of respondent  
Nos.2,3 and 4 as major and with office report)

WITH Civil Appeal NO. 2467 of 2004

(With office report)

Date: 20/08/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s) Mr. Ashok Kumar Sharma, Adv.for  
in CA 2020/2004 Mr. Javed Mahmud Rao,Adv.  
& for respondent(s)  
in CA 2467/2004

For Appellant(s) Mr. Shankar Divate, Adv.  
in CA 2467/2004

For Respondent(s) Mr. Shiv Prakash Pandey,Adv.  
Mr. M.K.Dua, Adv.

UPON hearing counsel the Court made the following  
ORDER

The Appeals are allowed in terms of the signed order.  
No costs.

Since, we have allowed these appeals, no orders need be  
passed on the application for declaration of respondent Nos. 2, 3 &  
4 as majors.

(Parveen Kr. Chawla)  
Court Master

( Indu Satija)  
Court Master

[Signed Order is placed on the File]  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2020 OF 2004

H.T.Gangal

..Appellant

versus

S.K.Katti & Others

..Respondents

WITH

CIVIL APPEAL NO.2467 OF 2004

ORDER

Heard learned counsel for the parties.

The facts of both these appeals are covered by a decision of this Court in the case of Martin F. D'Souza vs. Mohd. Ishfaq reported in (2009) 3 SCC 1.

For the reasons given in the said judgment, these appeals are allowed and the impugned judgment(s) of the National Commission are set aside. No costs.

Since, we have allowed these appeals, no orders need be passed on the application for declaration of respondent Nos. 2, 3 & 4 as majors.

.....J.  
[MARKANDEY KATJU]

NEW DELHI; .....J.  
AUGUST 20, 2009. [ASOK KUMAR GANGULY]