

C.A.No. 2654 OF 1996
ITEM No.103

Court No. 6

SECTION IV

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

Civil Appeal No.2654/1996

RAMESH BABU GUPTA (DEAD) BY LRS. Appellant (s)

VERSUS

HAR PARSAD (DEAD) BY LRS. & ORS. Respondent (s)
[With Appl.(s) for impleading party and with Office Report]

With

C.A.No.2655/1996
[With Appl.(s) for substitution of deceased petitioner and c/delay in filing substitution appl
n. and taking additional document on record and exemption from filing O.T. and with
office report]; and

C.A.No.2656/1996
(With Office Report)

Date : 11/01/2005 These Appeals were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Appellant (s)Mr. S.K. Gambhir, Sr. Adv.
Mr. K.S. Tomar, Sr. Adv.
Mr. B.K. Sharma, Adv.
Mr. R.K. Maheshwari, Adv.

For Respondent (s)Mr. A.K. Chitale, Sr. Adv.
Mr. Sushil Kr. Jain, Adv.

Mr. H.K. Puri, Adv.

UPON hearing counsel the Court made the following

O R D E R

Impleadment allowed. Delay condoned.
Substitution allowed.
The Civil Appeals are disposed of in terms of the Signed Order.

(Subhash Chander)(Veera Verma)
Court Master Court Master

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2654 OF 1996

Ramesh Babu Gupta (Dead) by LRSAppellant (s)

Versus

Har Parsad (Dead) by LRS & Ors.Respondent (s)

W I T H

C.A.Nos.2655 of 1996 and 2656 of 1996

O R D E R

Impleadment allowed. Delay condoned.
Substitution allowed.

All these appeals arise out of a common judgment of the High Court of Madhya Pradesh at Gwalior. By the impugned judgment, the High Court has formulated certain questions and remanded the matter to the executing court.

Our attention was also drawn to some of the documents filed in the case. Having heard the arguments of the learned senior counsel for the appellants, we feel that in the facts and circumstances of the case, the High Court was justified in remanding the matter to the executing court to decide the questions.

In the result, we dispose of these appeals. The parties on either side would be at liberty to raise all contentions before the executing court. The executing court shall dispose of the matter at an early date.

.....J.
[K.G. BALAKRISHNAN]

New Delhi.....J.
January 11, 2005. [B.N. SRIKRISHNA]