

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s).6577 OF 2002

SHAMRAO VITHAL CO. BANK LTD. ...
Appellants

VERSUS

PRAKASH VASANT KALANTRE & ORS. ...
Respondents

ORDER

This appeal has been preferred against an order passed by the High Court of Bombay holding that the Letters Patent Appeal No.160 of 2001 arising out of Writ Petition No.7216 of 2000 was not maintainable as the learned Single Judge had disposed of the writ petition in exercise of his jurisdiction under Article 227 of the Constitution. Since the impugned order was passed under Article 227 of the Constitution, we do not find any reason to interfere with the same. The appeal is, accordingly, dismissed with no orders as to costs. In view of dismissal of the appeal no order is necessary on the pending I.A(s). However, we make it clear that this order shall not prevent the appellant from challenging the original order, if not already challenged in the meantime. Interim order, if any, shall stand vacated.

.....J.
(TARUN CHATTERJEE)

.....J.
(HARJIT SINGH BEDI)

NEW DELHI,
May 1, 2008.
ITEM NO.119

COURT NO.10

SECTION XV

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

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SHAMRAO VITHAL CO. BANK LTD.

Appellant (s)

VERSUS

PRAKASH VASANT KALANTRE & ORS.

Respondent(s)

(With appln(s) for amendment of the petition and office report)

Date: 01/05/2008 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE HARJIT SINGH BEDI

For Appellant(s)

Mr. Nitin S. Tambwekar, Adv.
Mr. B.S. Sai, Adv.
Mr. K. Rajeev, Adv.

