

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.2533/1999

(From the judgement and order dated 05/10/1998 in SJ 112/97
of The HIGH COURT OF BOMBAY)

RELIANCE INDS. LTD.

Petitioner (s)

VERSUS

M/S.LEELA PACKAGING LTD. AND ANR.

Respondent (s)

(For Final Disposal)

Date : 15/03/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mr. Ashok H Desai, Sr.Adv.
Mr. K.R. Sasiprabhu,Adv.

For Respondent (s) Mr. Gaurav Agrawal, Adv.
for Mr. Uday Umesh Lalit,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
Heard counsel for few minutes.

Leave granted.

The appeal is allowed.

.SP1

(Alka Dudeja)
Court Master

(Suneet Bala Sharma)
Court Master

Signed order is placed on the file.

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CIVIL APPEAL NO. 2147 OF 2002@@
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(Arising out of S.L.P.(C) No. 2533 of 1999)

RELIANCE INDS. LTD. ... Appellant (s)

VERSUS

M/S.LEELA PACKAGING LTD. AND ANR. ... Respondent (s)

O R D E R@@
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Leave granted.

Learned counsel jointly stated that the respondent-company has gone into liquidation and a Liquidator has already been appointed, who has taken over the charge of the property. It is also not disputed that the appellant herein is like any other ordinary unsecured creditor.

In that view of the matter, the order granting leave to defend the suit is set aside. The matter is remitted to the High Court for deciding the matter on merits in accordance with law.

The appeal is allowed.

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.....J.
(V.N. KHARE)

.....J.
(ASHOK BHAN)

NEW DELHI
MARCH 15, 2002.