

ITEM NO.110

COURT NO.6

SECTION XIA

## 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(s). 4950 OF 2001

UTKAL UNIVERSITY

Appellant (s)

VERSUS

GOURI SANKAR PADHI &amp; ORS.

Respondent(s)

(With appln(s) for modification of Court's Order dt. 30/07/2001 and office report)

[With I.A. NO.1 (Petitioner's application for striking out R.No.1 counter affidavit, for

initiating proceedings for perjury and for filing a false and/or fabricated document)]

[With I.A. Nos.2-4 (Application for leave to place additional facts and a document on

record)]

Date: 11/04/2007 This Appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Appellant(s)

Mr. Vinoo Bhagat, Adv.

For Respondent(s)

Mr. Yashobant Das, Sr. Adv.

Mr. Bharat Sangal, Adv.

Mr. R.P. Kumar, Adv.

Ms. Suchita Sharma, Adv.

Mrs. Kirti Renu Mishra ,Adv

UPON hearing counsel the Court made the following

O R D E R

We see no reasons to interfere with the impugned order of the

High Court. We, however, clarify that the civil suits shall be decided on their own merits uninfluenced by any observation and/or direction made by the High Court in the writ petition. Since the suits are pending from 1998, the trial Court is directed to dispose of the suits within six months.

Appeals are disposed of in terms of the signed order.

( Ravi P. Verma )

( Anand Singh )

Court Master

Court Master

[Signed order is placed on the file]

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4950 OF 2001

UTKAL UNIVERSITY

APPELLANT(S)

Versus

GOURI SANKAR PADHI & ORS.

RESPONDENT(S)

O R D E R

Heard both the parties.

Challenge in this appeal is to the order dated 07/09/1999

passed by the High Court in OJC No.11577/1998. The dispute

involved in this appeal is of civil nature which has been observed by

the High Court. The High Court directed the parties to get final

adjudication before the Civil Court. The High court also clarified that

by impugned order no right, title and interest of the parties has been

adjudicated. The High Court further clarified that any

interim/ancillary order passed by any Court which runs contrary to

the directions given in this case, shall not have any effect. The High

Court order was purely for working arrangement pending final

litigation before the Civil Court.

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In this view of the matter, we see no reasons to interfere with

the impugned order of the High Court. We, however, clarify that the

civil suits shall be decided on their own merits uninfluenced by any

observation and/or direction made by the High Court in the writ

petition. Since the suits are pending from 1998, the trial Court is directed to dispose of the suits within six months.

Appeals are disposed of in the above terms.

.....J.

( H.K. SEMA )

New Delhi;

.....J.

April 11, 2007.

( V.S. SIRPURKAR )