

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).1556/2007

(From the judgement and order dated 11/10/2006 in CMWP No.56120/2003  
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

MOHD.YUNUS

Petitioner(s)

VERSUS

ANWARI BEGUM & ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP, prayer for interim relief  
and office report)

Date: 11/04/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. Vishwajit Singh,Adv.

For Respondent(s) Mr. Dhruv Mehta,Adv.  
Mr. Harshvardhan Jha,Adv.  
Mr. Yashraj Singh Deora,Adv.  
for M/s. K.L. Mehta & Co.,Advs.

UPON hearing counsel the Court made the following  
ORDER

Delay condoned.

Leave granted.

Heard learned counsel for the parties.

In the facts and circumstances of the case, we are of  
the view that the High Court was not justified in passing the  
impugned order during the pendency of the writ petition  
pending before it. Accordingly, the civil appeal is allowed  
and the impugned order is set aside. The High Court will  
now dispose of the writ petition on merits in accordance  
with law after giving opportunity of hearing to the parties.

No costs.

[ Alka Dudeja ]

Court Master

[ Om Prakash ]

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2788 OF 2008  
(Arising out of S.L.P. (C) No.1556 of 2007)

Mohd. Yunus

...Appellant(s)

Versus

O R D E R

Leave granted.

Heard learned counsel for the parties.

In the facts and circumstances of the case, we are of the view that the High Court was not justified in passing the impugned order during the pendency of the writ petition pending before it. Accordingly, the civil appeal is allowed and the impugned order is set aside.

The

High Court will now dispose of the writ petition on merits in accordance with law after giving opportunity of hearing to the parties.

No costs.

.....J.  
[B.N. AGRAWAL]

.....J.  
[G.S. SINGHVI]

New Delhi,  
April 11, 2008.