

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(s).5 7 2 7 / 2 0 0 6

(From the judgement and order dated 2 2 / 1 2 / 2 0 0 5 in L P A No. 2 9 6 / 2 0 0 5
of The
HIGH C O U R T O F B O M B A Y AT N A G P U R)

S H A R D A K A L A A N D S A N S S K R U T I K M A N D A L & A N R
o n e r (s)

P e t i t i

V E R S U S

S H U B H A S & O R S .

R e s p o n d e n t (s)

(With prayer for interim relief and office report)

W I T H S L P (C) N O . 6 0 6 7 o f 2 0 0 6

(With prayer for interim relief and office report)

Date: 1 3 / 0 8 / 2 0 0 7 This Petition was called on for hearing today.

C O R A M :

H O N ' B L E M R . J U S T I C E H . K . S E M A

H O N ' B L E M R . J U S T I C E L O K E S H W A R S I N G H P A N T A

F o r P e t i t i o n e r (s)

Mr. Gagan Sanghi, Adv.

Mr. R a m e s h w a r P r a s a d G o y a l , A d v .

F o r R e s p o n d e n t (s) M r . M a n i s h P i t a l e , A d v .

Mr. Chander Shekh a r Ashri, Adv.

F o r R - 2 & 3

Ms. Anagha S. Desai, Adv.

U P O N h e a r i n g c o u n s e l t h e C o u r t m a d e t h e f o l l o w i n g

O R D E R

Leave granted.

These two appeals are disposed of in terms of the signed order with a request to the learned single Judge to dispose of the writ petition Nos. 4 4 6 5 / 2 0 0 4 and 4 4 6 4 / 2 0 0 4 within a period of six months from today. We make it clear that till the writ petitions are disposed of by the High Court the interim order passed by this Court on 0 7 / 0 4 / 2 0 0 6 shall continue.

(R a v i P . V e r m a)
C o u r t M a s t e r

(A n a n d S i n g h)
C o u r t M a s t e r

[Signed order is placed on the file]

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

C I V I L A P P E L L A T E J U R I S D I C T I O N

C I V I L A P P E A L N O . 3 7 3 9 O F 2 0 0 7

[Arising out of S L P (C) N o . 5 7 2 7 / 2 0 0 6]

S H A R D A K A L A A N D S A N S S K R U T I K
(S)
M A N D A L

.....A P P E L L A N T

V e r s u s

S H U B H A S & O R S .
(S)

.....R E S P O N D E N T

OR D E R

Leave granted.

Challenge in these appeals is to the interim order passed by the learned single Judge refusing to grant interim relief in W. P . No.4 4 6 5 / 2 0 0 4 and W. P . No.4 4 6 4 / 2 0 0 4 filed by the appellant .

Aggrieved thereby, the appellant filed appeals before the Division Bench which were also disposed of by the impugned order on the ground that the learned single Judge has exercised his discretion. The Division Bench thought that there is no error in the order passed by the learned single Judge and does not call for any interference.

A contention has been raised before this Court that the services of the respondents were terminated on 2 6 / 0 6 / 2 0 0 2 and in their place some others have already been appointed. Having regard to this contention, this Court granted interim2.

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stay of the impugned order on 0 7 / 0 4 / 2 0 0 6 . It is contended before us by counsel on both sides that instead of keeping these appeals pending the same may be disposed of with a direction to the High court to dispose of the pending writ petition Nos. 4 4 6 5 / 2 0 0 4 and 4 4 6 4 / 2 0 0 4 within a stipulated time.

These two appeals are, accordingly, disposed of with a request to the learned single Judge to dispose of the writ petition Nos. 4 4 6 5 / 2 0 0 4 and 4 4 6 4 / 2 0 0 4 within a period of six months from today. We make it clear that till the writ petitions are disposed of by the High Court the interim order passed by this Court on 0 7 / 0 4 / 2 0 0 6 shall continue.

.....J .
(H.K. S E M A)

New Delhi;
August 13, 2007 .

.....J .
(LO K E S H W A R S I N G H P A N T A)