

ò  
SLP(C)No. 5965 OF 2000

ITEM No.28

Court No. 3

SECTION IVA  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.5965/2000

(From the judgement and order dated 03/08/1998 in RSA 962/96  
of The HIGH COURT OF KARNATAKA AT BANGALORE)

B.C. NAGARAJ & ANR.

Petitioner (s)

VERSUS

M. SUBBAIAH(DEAD) BY LRS.

Respondent (s)

( With Appln(s). for c/delay in filing SLP and deletion of the name of  
respondent No. 2 from array of parties and with prayer for interim  
relief )

Date : 02/03/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL  
HON'BLE MR. JUSTICE DORAISWAMY RAJU  
HON'BLE MRS. JUSTICE RUMA PAL

For Petitioner (s)

Ms. Sangeeta Kumar,Adv.

For Respondent (s)

Mr. S.N. Bhat,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J.R

Delay condoned.

Application for deletion of the name of  
respondent No.. 2 from the array of parties is allowed  
at the risk of the appellants.

Leave granted.

Appeal disposed of.

(D.P. WALIA)  
Court Master

(S.L. GOYAL)  
Court Master

(Signed Order is placed on the file.)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2001@@  
EE  
(Arising out of S.L.P.(C) No.5965 of 2000)

B.C. Nagaraj & Anr. . . . . Appellants

Versus

M. Subbaiah (Dead) by Lrs. . . . . Respondents

O R D E R@@  
EEEEEEEE

.....L.....I.....T.....T.....T.....T.....T.....T.....J  
.SP2

Special leave granted.

After hearing the counsel for the parties, we set aside the order of the High Court without expressing any opinion on the merits of the case and direct the High Court to decide R.S.A. No.962 of 1996 afresh in accordance with law.

The appeal is disposed of.

.SP1

.....J  
(B.N. KIRPAL)

.....J  
(DORAISWAMY RAJU)

New Delhi, .....J  
March 02, 2001. (RUMA PAL)