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SLP(C)No. 4726 OF 2005

ITEM No.21

Court No. 1

SECTION XIA

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.4726/2005

(From the judgement and order dated 06/01/2005 in RP 193/97 (I) in CRP 1442/1982 of The HIGH COURT OF KERALA AT ERNAKULAM)

ARIMATTOMVAYAL ULAHANNAN

Petitioner (s)

VERSUS

TALUK LAND BOARD, BADAGARA & ORS.

Respondent (s)

(With Appln(s). for exemption from filing O.T.)
(With prayer for interim relief)

Date : 11/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner (s) Mr. L. Nageswara Rao, Sr. Adv.
Mr. Alex Joseph, Adv.
Mr. K. Rajeev, Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

The learned counsel for the petitioner submits that the delay in filing the review petition was condoned vide order dated 6.8.1997 (Annexure P-8) and that being so, the review petition seeking an identical relief, as was allowed to his brother, by the Supreme Court could not have been denied by the High Court as the judgment of the Supreme Court amounted to discovery of new and important piece of evidence within the meaning of Order XLVII Rule 1 of the Code of Civil Procedure.

Issue notice.

Status quo as to possession shall be maintained until further orders.

(Ajay Kr. Jain)

(Radha R. Bhatia)

Court Master

Court Master