

SLP(C)No. 5246-5247 OF 2000

ITEM No.18

Court No. 4

SECTION XVI
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.5246-5247/2000

(From the judgement and order dated 04/05/1999 in AN 556/94
02/12/1999 in G.A.No. 4476/1999 of The HIGH COURT OF CALCUTTA)

MAYA SINHA AND ORS.

Petitioner (s)

VERSUS

SOMENDRA SINHA & ORS.

Respondent (s)

(With Appln(s). for c/delay in filing SLP & bringing on record the
L.Rs of the deceased respondent No.4 and c/delay in filing
substitution appln. & with prayer for interim relief & OR)

Date : 19/04/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mr. S. Muralidhar,Adv.

For Respondent (s) Mr. Chander Shekhar Ashri,Adv.

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

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

Heard learned counsel for the parties for few
minutes.

Delay condoned.

Substitution allowed.

The appeals are allowed. There shall be no order
as to costs.

.SP1

(Neelam Kawatra)
Court Master

(S. Krishnan)
Court Master

Signed order is placed on the file.

.PL55

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOs.2829-2830 OF 2002@@

Maya Sinha & Ors.

Appellant (s)

versus

Somendra Sinha & Ors.

Respondent (s)

O R D E R@@
CCCCCCCC

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

Substitution allowed. Let the heirs of deceased respondent No.4 be brought on record.

Delay condoned.

Leave granted.

We have heard learned counsel for the parties. We are satisfied that the appellants have made out sufficient case for condoning the delay in filing the application for restoration as well as for restoration of the case. We, therefore, after condoning the delay, set aside the judgment and order passed by the Division Bench of the Calcutta High Court and send the matter back to the High Court to decide the appeal on merits.

The appeals are allowed. There shall be no order as to costs.

.SP1

.....J
(V.N. Khare)

New Delhi,
April 19, 2002.

.....J
(Ashok Bhan)