

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.4326/2000

(From the judgement and order dated 03/11/1999 in CRP 3665/99
of The HIGH COURT OF A.P AT HYDERABAD)

HABEEB MOHAMMED AND ORS.

Petitioner (s)

VERSUS

SYED KHAJA QUTUBUDDIN

Respondent (s)

(With prayer for interim relief and office report)

Date : 20/11/2000 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA
HON'BLE MR. JUSTICE DORAISWAMY RAJU

For Petitioner (s) Mr. V.R. Reddy, Sr. Adv.
Mr. P.Venkat Reddy, Adv.
Mr. Guntur Prabhakar, Adv.

For Respondent (s) Mr. P.P. Rao, Sr. Adv.
Mr. D. Ramakrishna Reddy, Adv.
Mrs.D. Bharathi Reddy, Adv.

UPON hearing counsel the Court made the following

O R D E R

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Leave granted.

The civil appeal is allowed.

No order as to costs.

(T.I. Rajput)
Court Master

(S.Sen Gupta)
Court Master

(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. 6592 of 2000@@
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(Arising out of S.L.P. (C) No.4326 of 2000)

Habeeb Mohammed & Ors. ...Appellant (s)

Versus~

Syed Khaja QutubddinRespondent (s)

O R D E R@@
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Leave granted.

The prayer of the respondents in the petition sought to restrain Respondents 16 to 22 thereto "from attending any of the Executive Committee or General Body Meetings of the Madina Educational Society, Mahbubnagar whenever they are convened, pending disposal of the main O.P.". As the High Court noted in its order under challenge, it had been conceded before the Trial Judge that the appellants had no objection whatsoever to the respondents continuing as members of the society pending the disposal of the main petition but, that they should be restrained from taking part in the Executive Committee Meetings. The operative portion of the order of the Trial Judge also suggests that he intended to restrain the

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respondents only from taking part in the Executive Committee Meetings, but he overlooked the prayer that included General Body Meetings. This appears to have happened also in the High Court.

We think, therefore, that it is appropriate that the relief that has been granted is modified so that original Respondents 16 to 22 are restrained from attending the Executive Committee Meetings of the Madina Educational Society, Mahbubnagar, Andhra Pradesh.

The civil appeal is allowed to this extent.

Liberty to the parties to move the Trial Judge for expeditious disposal.

No order as to costs.

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.....J.
(S.P. Bharucha)

.....J.
(Doraiswamy Raju)

New Delhi,

November 20, 2000.