

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(s).12469/2006

(From the judgement and order dated 28/01/2005 in CMP No. 10376/2004 &  
CRP No. 68126/2002 of the HIGH COURT OF A.P. AT HYDERABAD)

SUB-REGISTRAR, BANJARA HILLS AND ANR

Petitioner(s)

VERSUS

YOGENDERLAL WAGHRAY

Respondent(s)

(With appln(s) for c/delay in filing SLP, c/delay in  
refiling SLP and office report)

Date: 19/03/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s)

Mr. Manoj Saxena,Adv.

Mr. Rajnish Kr. Singh,Adv.

Mr. Rahul Shukla,Adv.

Mr. T.V. George,Adv.

For Respondent(s)

Mr. K. Maruthi Rao,Adv.

Ms. K. Radha, Adv.

Mrs. Anjani Aiyagari, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned. Leave granted.

Heard the learned counsel for the parties. The appeal  
is allowed with the observations and direction as contained in  
the signed order.

(A.S. BISHT)

COURT MASTER

(PUSHAP LATA BHARDWAJ)

COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1486 OF 2007

{Arising out of SLP(C) No.12469/2006}

SUB-REGISTRAR, BANJARA HILLS AND ANR.

APPELLANT(S)

VERSUS

YOGENDERLAL WAGHRAY

RESPONDENT(S)

O R D E R

Delay condoned. Leave granted.

Having heard the learned counsel for the parties, we are of the opinion that the High Court may not be right in refusing to condone the delay in preferring an appeal by the appellants herein, keeping in view the questions raised therein. We, therefore, set aside the order passed by the High Court and request it to consider the revision application on its own merits, subject to the condition that the appellants pay a sum of Rs.10,000/-, by way of costs, to the respondent, which may be deposited in the High Court within four weeks from date.

The appeal is allowed with the aforementioned observations and direction.

.....J

(S.B. SINHA)

.....J

(MARKANDEY KATJU)

NEW DELHI ;

MARCH 19 , 2007 .