

SLP(C)No. 13019 OF 2001  
ITEM No.202

Court No. 9

SECTION XII  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.13019/2001  
(From the judgement and order dated 16/10/2000 in STA 2/96  
of The HIGH COURT OF KARNATAKA AT BANGALORE)

G.L. AHAMED & ORS.

Petitioner (s)

VERSUS

ASST. SETTLEMENT OFFICER & ORS.  
(With prayer for interim relief)(O.R.)  
( For Final Disposal )

Respondent (s)

Date : 26/09/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN  
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s) Mr. S. Sivasubramanian, Sr. Adv.  
Mr. T. Harish Kumar, Adv.

Mr. Rakesh K. Sharma, Adv.

For Respondent (s)

Mr. S. Muralidhar, Adv.  
Mr. P.N. Ramalingam, Adv.  
Mr. V. Balaji, Adv.

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

Leave granted.

Heard the learned counsel for the parties

for ten minutes.

The appeal is disposed of.

( Y.P. Dhamija ) (Veera Verma )  
AR-cum-PS Court Master  
Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8120 OF 2003  
(arising out of SLP(C) No. 13019/2001)

G.L. Ahamed & Ors.

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APPELLANT (S)

VERSUS

Asst. Settlement Officer & Ors.

...

RESPONDENT (S)

O R D E R

Leave granted.

Heard the learned counsel for the parties.

The appellants herein filed an appeal before the High Court of Madras. During the pendency of the appeal, the first appellant filed an application to produce additional documents. The first appellant sought leave to file a Transfer Certificate of his wife. Respondents in the appeal contended that the document sought to be produced was false and fabricated document and the same shall not be allowed to come on record. The Court took notice of the fact and held that as the appellant had produced false and fabricated documents, the appeal itself was liable to be dismissed. Aggrieved by the same, the present appeal has been preferred. The counsel for the appellants submits that the appellants are not relying on the Transfer Certificate produced and that is recorded. We are also told that the

- 2 -

appellant No.1 and appellant No.7 are being prosecuted in a criminal court for allegedly fabricating these documents. That matter is pending before the criminal court. Having regard to the facts and circumstances of the case, we remit the matter to the High Court and we request the High Court to dispose of the appeal on merits, ignoring the alleged false document produced by the appellant as additional documents. The appeal is disposed of.

.....J.  
( K.G. BALAKRISHNAN )

.....J.  
( B.N. SRIKRISHNA )  
New Delhi,  
September 26, 2003.