

X

C.A.No. 5596 OF 1997

.PL70

ITEM No.2

Court No. 9

SECTION XIV
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

IA No 4 In Civil Appeal No.5596/1997

ALARK SINGH

Appellant (s)

VERSUS

DURGA DEVI & ORS

Respondent (s)

(For appointment of receiver and office report)

Date : 21/04/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA

HON'BLE MR. JUSTICE B.N. AGRAWAL

For Appellant (s)

Mr. K.B.Sinha, Sr.Adv.
Mrs.Indira Sharma, Adv.
Mr. P.D. Sharma,Adv.

For Respondent (s)

Mr. C.A.Sundaram, Sr.Adv.
Mr Tarun Johri,Adv.

Mr. J.S. Attri,Adv.

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

.SP2

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

Heard parties.

This application is for appointment of court receiver. We however find that the appellant has already filed an interim application for appointment of court receiver and for injunction in the Himachal Pradesh High Court. That application is pending. The High Court is not taking up the application because of an order passed by this Court on 13th September, 1999 staying further proceedings in Suit No. 92 of 1987. We now clarify that the order of stay will not preclude the High Court from disposing of interim applications. The High Court is requested to dispose of the pending interim application expeditiously.

With this clarification I.A. No. 4 stands disposed of.

.SP1

Anita

(Jasbir Singh)
Court Master