

H
SLP(C)No. 6166 OF 2004
ITEM No.12

Court No. 2

SECTION IVB
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.6166/2004

(From the judgement and order dated 21/10/2003 in RSA 1655/02
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

JAI NARAIN GUPTA

Petitioner (s)

VERSUS

MAHESH PAL & ANR.

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for c/delay in filing SLP)

Date : 04/02/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner (s)

Mr. Dinesh Kumar Garg,Adv.

For Respondent (s)Mrs. Neelam Kalsi, Adv.

Mr. Vimal Chandra S. Dave,Adv.

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

Heard learned counsel for the parties.
Delay condoned.
Leave granted.
The appeal is allowed and impugned order is set aside.

(PAWAN KUMAR) (PREM PRAKASH)
COURT MASTER COURT MASTER
(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLANT JURISDICTION

CIVIL APPEAL NO.909 2005
(arising out of SLP(C)No.6166/2004)

Jai Narain Gupta...Appellant

versus

Mahesh Pal & Anr....Respondents

O R D E R

Heard learned counsel for the parties.
Delay condoned.
Leave granted.
It is pointed out by the learned counsel for the appellant that the High Court contrary to the

requirement of Section 100 C.P.C. without framing substantial question of law has admitted the appeal. In view of the said we allow this appeal and direct the High Court to first find out whether the appeal raises any substantial question of law as required under Section 100 C.P.C. and then pass appropriate order.
The appeal is allowed and impugned order is set aside.

.....J.
(N. SANTOSH HEGDE)

.....J.
(S.B. SINHA)
NEW DELHI,
FEBRUARY 04, 2005.