

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(s).6947/2011

(From the judgement and order dated 04/01/2011 in
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

CMWP No.5237/2009

E.M.M.JI PANCHADEV E.S.N.JI RAM JANKI&AN

Petitioner(s)

VERSUS

RAM GOVIND & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T.,permission to file
additional documents and with prayer for interim relief)

Date: 29/08/2011

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. B.K. Mishra, Adv.
Ms. Bharti Tyagi, Adv.
Mr. S.D. Singh, Adv.

Ms. Kamakshi S. Mehlwal, Adv.

For Respondent(s)

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

The present special leave petition is directed against the impugned judgment and final order of the High Court passed in Writ A. filed by one Ram Govind. It has been mentioned in paragraph 16 that in the proceedings of suit No.14 of 1958, the petitioner was not a party and as such the judgment and decree passed in that suit had no bearing as to the merit of the said writ petition.

The High Court had also recorded the fact that the

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decree which had been obtained by the petitioner

herein had never been put into execution.

Accordingly, the High Court rejected the

petitioner's prayer for impleadment in the suit
filed by Ram Govind.

We have, however, been shown from the decree
itself that a person by the name of Ram Govind was
the defendant No.2 in the suit. Furthermore, the
suit was one for declaration and, accordingly, the
question of execution of the decree did not arise.

Accordingly, issue notice.

In the meantime, there will be stay of
further proceedings in Suit No.14 of 1958.

(Sheetal Dhingra)
COURT MASTER

(Juginder Kaur)
Assistant Registrar