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SLP(C)No. 16667-16668 OF 2000

ITEM No.27

Court No. 3

SECTION XI

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

Petition(s) for Special Leave to Appeal (Civil) No.16667-16668/2000
(From the judgement and order dated 19/12/1997 and 13/01/2000 in
CWP 361/87 and CMRP 20915/98 respectively of the HIGH COURT OF
JUDICATURE AT ALLAHABAD)

U.P. FINANCIAL CORPORATION

Petitioner (s)

VERSUS

M/S. M.V. INDUSTRIES & ORS.

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for exemption from filing O.T.)
With

SLP(C)No.16669-16670/2000 (D.K. Mahle vs. M.V. Industries & Ors.)
(with appln.(s) for exemption from filing O.T. and exemption from
filing c/c of the impugned judgment and with prayer for interim
relief)

Date : 17/08/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner (s)
in SLPs 16667-68/00 Mr. Mukul Rohtagi, ASG
Mr. Shrish Kumar Misra and Mr. Anis K Gupta,
Advs.

in SLPs 16669-70/00 Mr. Naresh K Sharma, Adv.

For Respondent (s) Mr. Sudhir Chandra, Sr. Adv.
Mr. Subodh Markendaya, Sr. Adv.
Ms. Chitra Markandaya, Adv.
Mr. Mishra, Adv.

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

.....L.....I.....J.R

Exemption allowed.

Special leave granted.

The appeals are disposed of in terms of the
signed order.

(D.P. WALIA)
Court Master

(S.L. GOYAL)
Court Master

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 5505-5506 2001@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
[arising out of S.L.P.(C) Nos. 16667-16668/2000]

U.P. Financial Corporation ..Appellant(s)

vs.

M/s. M.V. Industries & Ors. ..Respondent(s)

WITH

CIVIL APPEAL NOS. 5507-5508 2001@@
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[arising out of S.L.P.(C) Nos. 16669-16670/2000]

D.K. Mahle ..Appellant(s)

vs.

M/s. M.V. Industries & Ors. ..Respondent(s)

O R D E R@@
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Special leave granted.

After hearing the counsel for the parties, in our view there was no justification, on the facts of the present case, for the High Court to have passed strictures against Mr. Mahle who had not been served. As far as the observations against the U.P. Financial Corporation are concerned, no castigation was called for especially as the Corporation is yet to receive back the money due from the respondents.

These appeals are disposed of in the aforesaid terms.

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.....J.
(B.N. KIRPAL)

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

New Delhi;
August 17, 2001.

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