

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).7991/2007

(From the judgement and order dated 22/11/2006 in SA No. 298/1985 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

RAMSURAT RAMSUMER MAURYA

Petitioner(s)

VERSUS

SITABEN &amp; ORS.

Respondent(s)

(With appln(s) for c/delay in filing substitution appln., substitution of deceased respondent, exemption from filing c/c of the impugned order)

Date: 10/12/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA  
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA  
HON'BLE MR. JUSTICE B. SUDERSHAN REDDYFor Petitioner(s) Mr. Sudarshan Rajan, Adv.  
Mr. P. Narasimhan, Adv.

For Respondent(s) Mr. Annam D.N. Rao, Adv.

Ms. Hemantika Wahi ,Adv  
Ms. Pinky Behra, Adv.  
Ms. K Enatali Sema, Adv.  
Ms. Mamta Tushir, adv.  
Mr. Somnath, Adv.UPON hearing counsel the Court made the following  
ORDERDelay condoned.  
Application for substitution is allowed.

Leave granted.

The appeal is disposed of in terms of the signed order.

[ Meenu Sethi ] [ Vinod Kulvi ]  
A.R.-cum -P.S. Court Master[Signed order is placed on the file]  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTIONCIVIL APPEAL NO. 7210 OF 2008  
(Arising out of S.L.P. (C) No.7991/2007)

Ramsurat Ramsumer Maurya ...Appellant

Versus

Sitaben &amp; Ors. ...Respondents

O R D E R

Application for substitution is allowed.

Leave granted.

Having heard learned counsel for the parties, we are of the opinion that the High Court having framed as many as four substantial questions of law could not have ignored to answer any of them.

We, therefore, are of the opinion that the impugned judgment cannot be sustained. It is set aside accordingly and the matter is remitted to the High Court for consideration of the matter afresh. We would request the High Court to consider the desirability of disposing of the Second Appeal as expeditiously as possible and preferably within a period of six months from the date of receipt of copy of this order keeping in view the fact that the suit was instituted in the year 1985.

The appeal is disposed of accordingly.

.....J.

[S.B. SINHA]

.....

[LOKESHWAR SINGH PANTA]

.....J

[ B. SUDERSHAN REDDY]

.....J

New Delhi,  
December 10, 2008.