

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).5540/2006

(From the judgement and order dated 07/02/2006 in CM No. 8209/2003 In RSA 4463/2001 of
The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

ANIL JAIN

Petitioner(s)

VERSUS

VIJAY KUMAR & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 08/10/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE ALTAMAS KABIRFor Petitioner(s) Mr. J.L. Gupta, Sr. Adv.
Ms. Nidhi Gupta, Adv.
Ms. S. Janani, Adv.For Respondent(s) Mr. V.K. Jhanji, Sr. Adv.
Ms. Jyoti Mendiratta, Adv.UPON hearing counsel the Court made the following
ORDER

We have heard learned counsel for the parties.

Since the special leave petition is filed against the interim order passed
by the High Court by which second appeal has been admitted, we are not
inclined to interfere with the said order.On the facts and in the circumstances of the case, particularly, in the
light of the fact that an application was submitted by the petitioner before the
High Court on July 11, 2003 stating therein that the amount should be paid at the
rate of Rs. 5,000/- per month, it would be appropriate if we direct the

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respondents to deposit an amount of Rs. 2,000/- per month w.e.f. 1st July, 2003
and continue to deposit the said amount in the trial Court. The dues upto
today will be deposited on or before 31st December, 2007 and will be continued
to be deposited at the rate of Rs. 2,000/- by the 15th day of every month. The
trial Court shall invest the said amount in any nationalised bank and it will be
subject to final order to be passed by the High Court.Since, the second appeal was filed in the year 2001 and was admitted
only in February, 2006 and the suit is of the year 1991, we request the High Court
to give priority to the Second Appeal and dispose it of as expeditiously as
possible, preferably before June 30, 2008.

The special leave petition is disposed of.

[Charanjeet Kaur]
Court Master[Vinod Kulvi]
Court Master