

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(s).7553/2005

(From the judgement and order dated 21/02/2005 in Civil Second Appeal No. 55/2005 of The HIGH

COURT OF RAJASTHAN AT JODHPUR)

MUKUNRAJ & ORS.

Petitioner(s)

VERSUS

NATHMAL (DEAD) BY LR & ANR

Respondent(s)

(With appln(s) for exemption from filing O.T. and with prayer for interim relief ))

Date: 21/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner(s)

Mr. Pallav Shishodia, adv.

Mr.Hemant Sharma, Adv.

Mr. Rakesh Khatana, Adv.

Mr. D.N. Mishra,Adv.

For Respondent(s)

Mr. Narottam Vyas, Adv.

Ms. Deep Shikha Bharti, Adv.

Mr. B.D. Sharma,Adv.

UPON hearing counsel the Court made the following

O R D E R

Counsel for the petitioners submits that a question arises inter alia, whether interest on

interest could be awarded by the final decree in the absence of profit earned by the firm. He further

submits that his liability has increased on account of the decrees in favour of the other partners

granting them interest and interest on interest. He submits that this point was raised in the final

decree proceeding and noticed by the appellate court.

Issue notice on the application for interim relief as well as on the special leave petition.

Mr. B.D. Sharma, advocate accepts notice on behalf of respondents 1 & 2.

(Vijay Dhawan)

(Sheetal Dhingra)

(Vija)

Court Master

Court Master