

ITEM NO.10

COURT NO.4

SECTION XIV

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).9414/2012

(From the judgement and order dated 16/02/2012 in RFA No.46/2011  
of The HIGH COURT OF DELHI AT N. DELHI)

SHAKUN JAISWAL

Petitioner(s)

VERSUS

ANAND PERSHAD JAISWAL & ORS.

Respondent(s)

(With prayer for interim relief and office report )  
[FOR FINAL DISPOSAL]

WITH

SLP(C) NO. 9425 of 2012  
(With prayer for interim relief and office report)  
[FOR FINAL DISPOSAL]

SLP(C) NO. 9631 of 2012  
(With prayer for interim relief and office report)  
[FOR FINAL DISPOSAL]

SLP(C) NO. 9677 of 2012  
(With prayer for interim relief and office report)  
[FOR FINAL DISPOSAL]

Date: 23/04/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA  
HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr. S. Ganesh, Sr. Adv.  
Mr. A.S. Chandhiok, Sr. Adv.  
Ms. Malini Sud, Adv.  
Mr. Deepak Khurana, Adv.  
Ms. Aditi Sharma, Adv.  
Mr. Vidut Gupta, Adv.  
Ms. Harleen Singh, Adv.  
Mr. Umesh Kumar Khaitan, Adv.

For Respondent(s) Mr. Arvind Nigam, Sr. Adv.  
Mr. Sourabh Talwarm Adv.  
Mr. Akshey Makhija, Adv.  
Mr. Navin Chawla, Adv.  
Ms. Anisha Gupta, Adv.  
  
Mr. Mayank Misra, Adv.  
Mr. Divyam Agarwal, Adv.  
Ms. Sunita Bhargava, Adv.  
Mr. Dheeraj Nair ,Adv

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

We have heard Mr. S. Ganesh, learned senior counsel for the petitioners, and Mr. Arvind Nigam, learned senior counsel for the respondent No. 1.

Special leave petitions are dismissed.

However, it is clarified that it will be open to petitioner-defendant No. 1 - Shakun Jaiswal - and petitioner-defendant No. 5 - Karamjit Jaiswal - to raise all available pleas in the written statement, including pleas relating to limitation, court fee and maintainability of the suit.

We record and accept the statement of Mr. S. Ganesh, learned senior counsel for the petitioners-defendants, that written statement shall be filed within eight weeks from today.

We expect the trial Judge to conclude the trial as expeditiously as may be possible and preferably within two years from the date of production of the order of this Court. The parties are directed not to seek unnecessary adjournments.

Needless to say that observations made by the Division Bench in the impugned order concerned only consideration of the application made under Order VII Rule 11 of the Code of Civil Procedure, 1908 and these observations shall have no bearing in consideration of the pleas that may be raised by the petitioners-defendants in the written statement which obviously will be decided in accordance with law on the basis of evidence and the submissions that may be made at the time of hearing of the suit.

|(Rajesh Dham)  
|Court Master

|(Renu Diwan)  
|Court Master

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