

SLP(C)No. 7068-7069 OF 2003
ITEM No.50

Court No. 3

SECTION IVA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.7068-7069/2003

(From the judgement and order dated 24/02/2003 in HRRP 706&697/99
of The HIGH COURT OF KARNATAKA AT BANGALORE)

SHAHWAR BASHEER & ORS.

Petitioner (s)

VERSUS

VEENA MOHAN

Respondent (s)

(With prayer for interim relief and office report)

With

SLP(C)No.10845-10846/2003

[ARUN BAHURAO KAKATKAR (D) BY LRS. VS. ASHOK RUDRAPPA CHAVAN]

(With prayer for interim relief and office report)

SLP(C)No.8692/2003

[LAXMICHAND (D) BY LR. VS. FAKIRSA RAJANSA MEHARWADE & ORS.]

(With appln. for bringing Lrs. on record of deceased respondent No. 9 and with prayer for int
erim relief)

Date : 27/01/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI

HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s)

in SLP 7068-69/03Mr. Arun B. Saharya, Sr. Adv.

Mr. Kirit S. Javali, Adv.

Mr. E.C. Vidya Sagar, Adv.

Mr. B.K. Choudhury, Adv.

in SLP 10845-10846/03Mr. G.K. Bansal, Adv.

in SLP 8692/03Mr. Ankur S. Kulkarni, Adv.

Mr. S.K. Kulkarni, Adv.

Mr. M. Gireesh Kumar, Adv.

For Respondent (s)

in SLP 7068-7069/03Mr. I. Venkata Narayana, Sr. Adv.

Mr. T.N. Rao, Adv.

Mr. A. Ramesh, Adv.

in SLP 8692/03Mr. Rajesh Mahale, Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP(C) Nos. 7068-7069/2003

Pleadings are complete.

List for final hearing and disposal on a Friday.

SLP(C) Nos. 10845-10846/2003

Tag with SLP (C) Nos. 7068-7069/2003.

SLP(C) No. 8692/2003

Leave granted.

The appeal stands disposed of in terms of the signed order. The parties through their respective counsel are directed to appear before the High Court on 8th March, 2004.

KALYANI

(RADHA R. BHATIA)
COURT MASTER

(SIGNED ORDER IN SLP(C) NO. 8692/2003 IS PLACED ON FILE.)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 515 OF 2004
(ARISING OUT OF SLP (C) NO. 8692 OF 2003)

LAXMICHAND (D) BY LR.

.....

APPELLANT (S)

VERSUS

FAKIRSA RAJANSA MEHARWADE & ORS.

.....

RESPONDENT (S)

O R D E R

Leave granted.

The respondent Nos. 1 to 6 are contesting parties in this appeal. They are the landlords. The learned counsel for the respondent Nos. 1 to 6 concedes to the appeal being allowed and case being remanded for hearing afresh by the High Court. The learned counsel submitted that he is conceding to the remand because the pendency of this appeal may delay the adjudication of his case on merits and these respondents are not interested in having the legal question being decided which is open for consideration before this Court in other appeals/special leave petitions.

Keeping in view the concession made by the learned counsel for the landlord-respondent Nos. 1 to 6, it is directed that leaving the question of law open for adjudication by this Court in other matters, HRRP No. 573/99 shall stand restored for hearing on merits before the High Court. The High Court may proceed to decide the revision on an assumption that the petitioners in the High Court continue to be tenants.

The appeal stands disposed of, accordingly.

The parties through their respective counsel are directed to appear before the High Court on 8th March, 2004.

.....J
(R.C. LAHOTI)

.....J
(B.N. AGRAWAL)

NEW DELHI ;
JANUARY 27, 2004.