

ITEM NO.205

COURT NO.3

SECTION IVA

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).9323/2005

(From the judgement and order dated 13/01/2005 in
of The HIGH COURT OF M.P AT JABALPUR)

FA No. 9/2005

ACHYUTKANT MISHRA

Petitioner(s)

VERSUS

SHIV SEWAK MISHRA (D) BY LRS. & ORS.

Respondent(s)

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

Date: 16/08/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Akshat Shrivastava,Adv.
Mr. P.P. Singh,Adv.
Mr. Inderjeet Yadav,Adv.

For Respondent(s) Mrs. Prachi Mishra,Adv.
Mr. Alok Kumar,Adv.

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

We find no reason to interfere. The
Special Leave Petition is dismissed.

Learned counsel for the petitioner
points out that the High Court has stated at
several places that the trial court had held
that the suit had abated on account of the LRs

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of the Ramlakhan not being brought on record.
This apparently is a mistake as the translation
of the trial court's order also states that the
suit was dismissed as having abated.
Apparently, what the court intended to say was
that the trial court had held that the suit was

not maintainable for not impleading the
necessary parties namely, the LRs of Ramlakhan
and that has been negatived by the High Court.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master