

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 (C) No(s). 12915/2012

(Arising out of impugned final judgment and order dated 07/07/2011
in FA 256/1986 passed by the High Court Of Gujarat At Ahmedabad)

AMRUT CHAMBERS SHOPS & OFFI.OWNER ASSON.
r(s)

Petitione

VERSUS

THE MOST
t(s) REV. PP.MARANHIH & ORS.

Responden

(with appln. (s) for exemption from filing O.T. and permission to
file additional documents and office report)

Date : 02/07/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)

Mr. Krishnan Venugopal, Sr. Adv.
Mr. Dharmendra Kumar Sinha, Adv.

For Respondent(s)

Mr. Deeptakirti Verma, Adv.
Ms. Neha Sharma, Adv.

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

Learned counsel for the petitioner has
filed an application (I.A.No.8/2014) for addition of parties as Respondent
No.11 and 12.

Brief background of the application is that
the suit filed by the applicant against the Irish Presbyterian
Mission

Trust, a duly registered Trust represented by its trustees.
Signature Not Verified

During
Digitally signed by
Om Parkash Sharma
Date: 2014.07.05

the pendency of the appeal against the said Trust in the High
10:24:50 IST
Reason:

Court, the High Court directed that having regard to the nature of the dispute, the Charity Commissioner is also required to be impleaded as a party respondent. Accordingly, the Charity Commissioner was impleaded as party respondent in the appeal before the High Court.

However, when the instant SLP came to be filed, respondent 1 to 8 are shown as respondent as though they are contesting in their individual capacity. Irish Presbyterian Mission Trust was not made a party in the SLP. Secondly, though the Charity Commissioner was impleaded as party respondent in the High Court, yet was not made a respondent in the SLP. Hence the instant application.

Mr. Krishnan Venugopal, learned senior counsel submits that it was by inadvertance that such a mistake happened when the SLP is filed. Respondent No.1 to 8 and 10 are represented by Mr. Deeptakirti Verma. Heard Mr. Deeptakirti Verma, learned counsel for respondent Nos. 1 to 8 and 10.

In the circumstances, accepting the reasons given in the application, the application (I.A.No.8/2014) for addition of parties as respondent No.11 and 12 is allowed. Irish Presbyterian Mission Trust, Ahmedabad and Charity Commissioner, Ahmedabad are impleaded as party respondent No.11 and 12 respectively.

Issue notice to the newly impleaded respondent No.11 and 12. Mr Deeptakirti Verma, learned counsel accepts notice on behalf of newly impleaded respondent No.11. He shall enter appearance on behalf of the Trust (R.No.11) and will file counter affidavit within four weeks.

The petitioner is directed to file amended memo of parties within four weeks.

Respondent No.1 to 8 shall be shown as trustees representing Irish Presbyterian Mission Trust.

List after four weeks.

[O.P. SHARMA]
COURT MASTER

[INDU BALA KAPUR]
COURT MASTER