

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).11741/2013

(From the judgement and order dated 11/02/2013 in
CRP No.282/2013 of The HIGH COURT OF MADRAS)

A.C. MUTHIAH Petitioner(s)
VERSUS
BOARD OF CONTROL FOR CRICKET IN INDIA&AN Respondent(s)
(With prayer for interim relief and office report)

WITH SLP(C) NO. 12263 of 2013
(With prayer for interim relief and office report)

Date: 18/04/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Dr. A.M. Singhvi, Sr. Adv.
Mrs. Nalini Chithambaram, Sr. Adv.
Mr. Kush Chaturvedi, Adv.
Mr. Rajat Sehgal, Adv.
Ms. Renuka Iyer, Adv.
Mr. Vikas Mehta

For Respondent(s) Mr. C.A. Sundaram, Sr. Adv.
Mr. P.R. Raman, Adv.
Mrs. Akhila Kaushik, Adv.
Mr. Amit Sibal, Adv.
Ms. Rohini Musa, Adv
Ms. Ranjeeta Rohtagi, Adv.
Mr. Prateek Chadha, Adv.
Mr. Rahul Mascarenhas, Adv.
Mr. Raman Kumar, Adv.
Ms. Radha Rangaswamy, Adv.

Mr. R.F. Nariman, Sr. Adv.
Mr. Aditya Verma, Adv
Mr. Hari Shankar K ,Adv

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

Leave granted.
The Appeals are allowed in terms of the signed Order placed
on the file. No costs.

| (GEETA AHUJA)
| Sr. P.A. |

| (VEENA KHERA)
| Court Master |

(Signed Order is placed on the file)

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3940 OF 2013
(Arising out of SLP (C) No.11741 Of 2013)

Dr. A.C. Muthiah

...Appellant

VERSUS

The Board of Control for Cricket
In India & Anr.

....Respondents

WITH

CIVIL APPEAL NO.3941 OF 2013
(Arising out of SLP (C) No.12263 Of 2013)

O R D E R

Leave granted.

These appeals arise out of two separate but near identical orders both dated 11th February, 2013 passed by the High Court of Madras in CRP (PD) No.281 and 282 of 2013 whereby the revision petitions filed by the appellant against orders passed by the trial court refusing permission

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to the plaintiff-appellant to amend the plaints in OS No.10786 of 2010 and 10767 of 2010 have been dismissed.

It is, in our opinion, unnecessary to set out the factual matrix in which the entire controversy arises. We say so because after arguing the matter at some length, learned counsel for the respondents-defendants in the suits agreed to the appeals being allowed and so also the applications for amendment of the plaints in the two suits no matter the said applications were according to them meant to somehow delay the disposal of the two suits pending before the trial Court. It was submitted that it was only in order to bring an early end to the litigation and to prevent unnecessary procrastination of the proceedings that the defendants-respondents

were agreeing to the grant of permission to amend the plaint as proposed by the plaintiff-appellant. To that end this Court could, while allowing these appeals and the applications for amendment, direct the trial Court to expedite the hearing and disposal of the suits.

Dr. Singhvi, learned counsel for the appellants

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submitted that the amendment had become necessary on account of certain subsequent developments that had taken place as also certain additional material coming to light during the pendency of the suits.

He urged that the amendments were not in the least aimed at delaying the disposal of the suits or to achieve any other oblique purpose as suggested by learned counsel for the respondents.

Be that as it may since the defendants-respondents are conceding the relief prayed for in these appeals we have no difficulty in allowing these appeals, setting aside the orders passed by the trial court as also those passed by the High Court and allowing the applications for amendment filed by the plaintiff in both the suits with a direction that the plaintiff in both the suits shall carry out the amendments proposed in the applications and file an amended plaint within four weeks from today. The defendants-respondents herein shall thereupon file their amended written statements within four weeks of the filing of the amended plaint. The trial Court may, based on the amended pleadings, frame such

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additional issues as may be found to be arising from the pleadings and proceed to conclude the trial expeditiously and as far as possible within one year of the date the issues are settled. No costs.

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.....J.
(T.S. THAKUR)

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.....J.
(SUDHANSU JYOTI MUKHOPADHAYA)

New Delhi
April 18, 2013