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SLP(C)No. 8460 OF 2003
ITEM No.37

Court No. 6

SECTION XIV
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.8460/2003

(From the judgement and order dated 17/12/2002 in RFA 739/02
of The HIGH COURT OF DELHI AT N. DELHI)

PUNJAB & SIND BANK

Petitioner (s)

VERSUS

M/S. DIMPAL INTERNATIONAL & ORS.

Respondent (s)

(With prayer for interim relief and Office Reporot)

Date : 31/10/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE P.VENKATARAMA REDDI

For Petitioner (s) Ms. Neelam Rathor, adv.
Mr. Nikilesh Ramachandran, Adv.

For Respondent (s)

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

Leave granted.
The appeal is allowed.

(S. Thapar) (Madhu Saxena)
PS to Registrar Court Master

The signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.....OF 2003
(Arising out of SLP(C)No. 8460 of 2003)

Punjab & Sind Bank Appellant (s)

Versus

M/s Dimpal International & Ors. Respondent (s)

O R D E R

None appears on behalf of the respondents despite notice. Limited notice had been issued in this matter as to why the matter should not be remanded back for the purpose of considering the affidavit evidence which had already been filed by the petitioner while the suit was pending before the High Court. In the absence of any opposition either to the statement of facts or to the submissions made, leave is granted and the impugned decree is set aside and the matter is remanded back to the Trial Court for reconsideration of the matter on the basis of affidavit evidence placed on record. The appeal is allowed.

.....J.
(Ruma Pal)

.....J.
(P.Venkatarama Reddi)
New Delhi,
October 31, 2003.