

SLP(C)No. 7763 OF 2004

ITEM No.1A
(For Judgment)

Court No. 1

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No. 8088 of 2004 arising out of
Petition(s) for Special Leave to Appeal (Civil) No.7763/2004
(From the judgement and order dated 26/03/2004 in FAO 823/03
of The HIGH COURT OF DELHI AT N. DELHI)

SUMITRA DEVI ANAND (D) BY LRS.

Petitioner (s)

VERSUS

SHANTI DEVI (D) BY LRS.

Respondent (s)

(Heard by Hon'ble the Chief Justice and Hon'ble G.P. Mathur,J.)

Date : 15/12/2004 This matter was called on for pronouncement of
judgment today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE G.P. MATHUR
HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner (s)/Mr. Rajiv Dutta, Sr. Adv.
Appellant(s)Mr. R. Nedumaran,Adv.

Ms. Sushma, Adv.
Ms. Namrata Chopra, Adv.
Mr. Beno Bencigar, Adv.

For Respondent (s)Mr. Mukul Rohtagi, Sr. Adv.
Mr. Sandeep Sethi, Sr. Adv.
Ms. Jyoti Singh, Adv.
Mr. Viraj Datar, Adv.
Mr. Vineet Jhanji, Adv.
Ms. Kavita Wadia, Adv.

Hon'ble Mr. Justice G.P. Mathur pronounced judgment of the Court.

Leave granted.

The appeal is allowed in terms of the signed judgment, and the orders dated 22.11.2003 passed by the learned Additional District Judge and also the order dated 26.3.2004 passed by the High Court are set aside. The learned Additional District Judge shall take up the suit on priority basis and decide the same as expeditiously as possible, preferably within one year from the date of communication of this order to him. The appellants shall not be dispossessed from the premises in their occupation during the pendency of the suit. It is further directed that the parties shall make all endeavours for an early decision of the suit and shall not take adjournments unless absolutely necessary. If the plaintiffs cause obstruction in the progress of the suit or adopt delaying tactics, it will be open to the respondents to apply to this Court for vacating the injunction order.

It is made clear that any observation made in this order is only for the purpose of deciding the appeal and shall not be construed as an expression of opinion regarding the merits of the case.

claim of the parties.

NON-REPORTABLE.

(D.P. WALIA)
COURT MASTER

(RADHA R. BHATIA)
COURT MASTER

(Signed Judgment is placed on the file)