

WITH

CIVIL APPEAL NO. 448 OF 2011
(Arising out of SLP(Civil) No. 10559 of 2010)

O R D E R

We have heard learned Senior Counsel for the appellants and the learned Counsel appearing for the respondents.

Leave granted.

Shorn of all the details, the fact remains that by the impugned Order, the Division Bench directed the eviction of the appellants herein from the suit premises without providing them any opportunity of being heard. That apart, the appeal preferred by the appellants herein was also pending before the Division Bench when the impugned Order came to be passed.

However, the third respondent did not prefer any appeal challenging the impugned order passed by the Division Bench. In the circumstances, we request the High Court to hear the OSA. SR. nos. 3181 & 3185/2010 and dispose of the same on their own merits uninfluenced by any of the observations and findings recorded in the impugned order. The impugned order in no manner shall be given effect to as against the appellants herein.

-2-

The interim orders passed by this Court shall continue to be in operation until disposal of the appeals preferred by the appellants.

The appeals are accordingly allowed.

.....J.
(B. Sudershan Reddy)

.....J.
(Surinder Singh Nijjar)