

SLP(C)No. 8161 OF 2004
ITEM No.21

Court No. 6

SECTION IVA

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.8161/2004

(From the judgement and order dated 12/04/2004 in WP 427/04
of The HIGH COURT OF M.P AT INDORE)

MANTHAN PARMARTHIK SOCIETY

Petitioner (s)

VERSUS

STATE OF M.P. & ORS.

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for exemption from filing O.T.)

Date : 30/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner (s) Mr.Sunil Gupta,Sr.Adv
Mr.Vikrant Singh Bais,Adv.
Mr.Jai Mangalwadi,Adv.
Mr. Niraj Sharma,Adv.

For Respondent (s)

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

The special leave petition is dismissed.

(USHA BHARDWAJ)
P.S. TO REGISTRAR

(MADHU SAXENA)
COURT MASTER

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.....OF 2004
(Arising out of S.L.P.(C) No.8188 of 2003)

State Bank of India...Appellant

vs.

M/s Lakshmi Motors

...Respondent

O R D E R

Leave granted.

The appellant has challenged the order of the Orissa High Court by which the appellant has been directed to return the documents of title furnished by M/s Lakshmi Motors.

In proceedings filed before the Debts Recovery Tribunal an order of attachment has been passed in respect of these very properties by the Tribunal.

In view of the aforesaid, the appeal is allowed, the order of the High Court is set aside and the writ petition is permitted to be withdrawn with liberty to the respondent to raise the same grounds before the Debts Recovery Tribunal.

There shall be no order as to costs.

.....J.

(RUMA PAL)

.....J.

(G.P. MATHUR)

New Delhi,

April 30, 2004.