ITEM NO.51 COURT NO.11 SECTION IX

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).9560/2010

(From the judgement and order dated 04/03/2010 in SCA No. 11915/2008 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

K.J.JADEJA Petitioner(s)

VERSUS

M.V.TEJANI & ORS. Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment,exemption from filing O.T. and prayer for interim relief))

Date: 03/05/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Huzefa Ahmadi, Adv.
Mr. Ejaz Maqbool,Adv.
Ms. Garima Kapoor, Adv.
Mr. F. Khan, Adv.

For Respondent(s) Mr. Amar Dave, Adv.
Mr. Harshid Tolia, Adv.
Mr. P.S.Sudheer,Adv.
Mr. Rishi Maheshwari, Adv.

UPON hearing counsel the Court made the following

O R D E R

This petition is directed against interlocutory order dated 4.3.2010 passed by the learned Single Judge of Gujarat High Court in Special Civil Application No.11915 of 2008.

We have heard learned counsel for the parties at some length and perused the record. In our view, ends of justice will be met if the High Court is requested to decide the respondents' prayer for interim relief afresh after hearing the parties.

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The special leave petition is accordingly disposed of with a request to the High Court to decide afresh the respondents' prayer for interim relief after giving opportunity of hearing to the parties and by assigning cogent reasons. The High Court is requested to pass appropriate order within ten days.

Learned counsel for the parties should inform their counterparts in the High Court about this order so that they may make appropriate application before the High Court for taking up the matter at the earliest.

Till the passing of fresh order by the High Court, the respondents herein shall not change the present status of the property.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master