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SLP(C)No. 9431-9432 OF 2003
ITEM No.210

Court No. 5

SECTION IX
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.9431-9432/2003
(From the judgement and order dated 18/03/2002 in SA 78/02
and order dated 29/01/2003 in MCA 317/02 in SA 78/02 of The
HIGH COURT OF BOMBAY AT NAGPUR)

MOHD. ISHAK

Petitioner (s)

VERSUS

HARIRAM

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for c/delay in filing SLP & exemption from filing O.T.
And permission to submit additional documents))
(For Final Disposal)

Date : 02/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s)Mr. V.A. Mohta, Sr.Adv.
Mr. Manish Pitale,Adv.

Mr. Chander Shekhar Ashri,Adv.

For Respondent (s)Mr. S.V. Deshpande,Adv.

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

Delay condoned.

Leave granted.

The appeals are disposed of in terms of the signed order.

(Neena Verma) (Vijay Aggarwal)
Court Master Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.2018-2019 OF 2004
(@ Special Leave Petition (C) Nos.9431-9432 of 2003)

Mohd. Ishak
...Appellant

Versus

Hariram
...Respondent

O R D E R

Delay condoned.

Leave granted.

After hearing learned counsel for the parties, we feel that the issues raised revolve around certain questions of law which do not appear to have been considered by the High Court. It would be appropriate if the High Court frames the necessary questions which would be formulated by the present appellant and filed before the High Court. After the questions are formulated, the High Court shall decide them in accordance with law. We make it clear that we have not expressed any opinion on the merits. Learned counsel appearing for the respondent was apprehensive that if there is delay in disposal of the second appeals by the High Court, it would cause prejudice to the respondent-landlord.

In view of the fact that the matters have been pending since long, it would be appropriate if the High Court makes an effort to dispose of the second appeal expeditiously and as far as possible within six months from today.

The parties, needless to say, shall cooperate for early disposal of the second appeal. The appeals are disposed of accordingly.

.....J.

(DORAISWAMY RAJU)

.....J.

(ARIJIT PASAYAT)

New Delhi,
April 02, 2004.