

ITEM NO.104

COURT NO.6 SECTION XV  
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(s). 4600 OF 2006

STATE BANK OF INDIA & ORS.

Appellant (s)

VERSUS

RAM ACHAL

Respondent(s)

WITH Civil Appeal NO. 4963 of 2007  
(With office report)

Date: 14/07/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s)

C.A. 4600/2006

Mr. Rakesh Dwivedi, Sr. Adv.  
Mr. Sanjay Kapur, Adv.  
Mr. Rajiv Kapur, Adv.  
Ms. Shubhra Kapur, Adv.  
Ms. Arti Singh, Adv.  
Mr. Abhishek Kumar, Adv.

C.A. 4963/2007

Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Sanjay Kapur, Adv.  
Mr. Rajiv Kapur, Adv.  
Ms. Shubhra Kapur, Adv.  
Ms. Arti Singh, Adv.  
Mr. Abhishek Kumar, Adv.

For Respondent(s)

Mr. Imtiaz Ahmed, Adv.  
Ms. Naghma Imtiaz, Adv.for  
M/S.Equity Lex Associates,Adv.

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

The Appeals are allowed. No costs.

( Rajesh Dham )  
Court Master

( Indu Satija )  
Court Master

( signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 4600 OF 2006

STATE BANK OF INDIA & ORS.

Appellant (s)

VERSUS

RAM ACHAL

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WITH

Civil Appeal NO. 4963 of 2007

O R D E R

Heard the learned counsel for the parties.

These appeals, by special leave, have been filed against the impugned judgments of the Allahabad High Court dated 10.03.2005 and the High Court of Andhra Pradesh dated 25.04.2007.

The facts have already been set out in the impugned judgments. Hence, we need not repeat them here.

Without going into the merits of the case, we are of the opinion that the respondents made applications after a considerable delay and hence, the special appeal before the Allahabad High Court and writ appeal before the High Court of Andhra Pradesh should have been dismissed on that ground alone. Even the special appeal and the writ appeal were filed before the aforesaid High Courts after a considerable delay.

The Appeals are allowed accordingly and the impugned judgments of the High Courts are set aside. No costs.

.....J.  
(MARKANDEY KATJU)

.....J.  
(T.S. THAKUR)

NEW DELHI  
JULY 14, 2010.