

^

SLP(C)No. 8715 OF 2003
ITEM No.50

Court No. 6

SECTION XIIA
A/N MATTER

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.8715/2003

(From the judgement and order dated 27/12/2002 in CMA 1521/01
of The HIGH COURT OF A.P AT HYDERABAD)

POKALA BHASKAR

Petitioner (s)

VERSUS

POKALA CHITTI

Respondent (s)

(With prayer for interim relief)(With office report)

Date : 10/11/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s)Mr. R. Santhana Krishnan, Adv.
Mr. G. Sateesh, Adv.
Mr. C.S.N. Mohan Rao, Adv.

For Respondent (s)Mr. P. Venkat Reddy, Adv.
Mr. Guntur Prabhakar, Adv.

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

(K.K. Chawla)
Court Master

(Janki Bhatia)
Court Master

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2003
(ARISING OUT OF SLP (CIVIL) NO.8715 OF 2003)

POKALA BHASKAR

Appellant (s)

VERSUS

POKALA CHITTI

Respondent (s)

O R D E R

Leave granted.

In this appeal there is a serious dispute as to whether the High Court dismissed the appeal because it was taking into consideration the offer for settlement made by the appellant and the acceptance thereof by the respondent. In our view, it is appropriate that the entire matter be remitted back to the High Court for consideration afresh. We, therefore, set aside the impugned order. Appeal No.1521 of 2001 is restored to the file of the High Court. Considering the fact that the matter is an old one, the High Court is requested to dispose of the same as expeditiously as possible. It would also be appropriate that as far as possible, the matter should go before the same Judges who passed the impugned order. The appeal is disposed of.

.....J.
(S.N. Variava)

.....J.
(B.N. Agrawal)
New Delhi;
November 10, 2003.