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SLP(C)No. 16584 OF 2000
ITEM No.54

Court No. 7

SECTION IX
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.16584/2000

(From the judgement and order dated 11/02/2000 in CRA 1267/84
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

RANGLAL GANESHLAL JAIN

Petitioner (s)

VERSUS

BACHUBHAI DEHYABHAI

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for permission to submit additional document(s) and
exemption from filing O.T.substitution of L.Rs of the deceased respondent
c/delay in filing substitution appln.)

Date : 03/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.P. MISRA
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Mr. Anoop Kr. Choudhary, Sr. Adv.
Mr. P.H. Parekh, Adv.
Mr. Rohit Alak, Adv.

For Respondent (s) Mr. H.A. Raichura, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....J.....
.SP2

We are informed that sole respondent died on 26th
December, 1996 when the matter was pending in the High
Court. The only submission made on behalf of the
appellant is that it was incumbant on the respondent to
inform the appellants about the death. As appellant was
not aware, even the present petition is filed against the
impugned judgment impleading dead respondent. Since sole
respondent died much before the judgment given by the
High Court, it is proper that the petitioner move the
matter before the High Court, as judgment against dead

-2-

person would be a nullity. Thus present perition is not
maintainable.

Liberty is granted to the appellant to move the
High Court in this regard. With this observations this
petition is disposed of. Interim order shall continue
for four weeks from today.

.SP1

Sushma

(Suneet Bala Sharma)
Court Master