

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.4627-4628 OF 2016
(ARISING OUT OF SLP(C) NOS.13651-13652 OF 2014)

PATEL AMBALAL SHANKARBHAI & ORS

APPELLA

TES

VERSUS

PATEL GANESH BHAI MOHANBHAI & ORS

RESPOND

ENTS

WITH

CA No.4629 of 2016 (@SLP(C) No.11808/2014)

CA No.4630 of 2016 (@SLP(C) No.11809/2014)

CA No.4631 of 2016 (@SLP(C) No.14037/2014)

CA Nos.4632-4634 of 2016 (@SLP(C) Nos.14453-14455/2014)

CA Nos.4635-4636 of 2016 (@SLP(C) Nos.14645-14646/2014)

CA Nos.4637-4638 of 2016 (@SLP(C) Nos.16775-16776/2014)

CA Nos.4639-4640 of 2016 (@SLP(C) Nos.30151-30152/2014)

O R D E R

Delay condoned.

Leave granted.

It is not disputed at the Bar that the Full Bench

Judgment of the Gujarat High Court which held that the

Letters Patent Appeals were not maintainable,

has been

Signature Not Verified

reversed on that point by this Court in the

decision

Digitally signed by

Suman Wadhwa

Date: 2016.05.03

reported in Jogendrasinhji

Vijaysinghji

vs.

State of

12:43:59 IST

Reason:

Gujarat & Ors. - (2015) 9 SCC 1.

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Accordingly, learned counsel appearing for the

parties agree that these matters should be remanded back to the High Court for fresh decision in accordance with the law.

In the aforesaid premises, these appeals are disposed of with a direction to remit these matters to the High Court for fresh decision in accordance with law, the impugned orders passed by the High Court are set aside and the Letters Patent Appeals are restored to the file.

.....J
[S.A. BOBDE]

.....J
[ARUN MISHRA]

NEW DELHI;
APRIL 29, 2016.

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ITEM NO.52

COURT NO.12

SECTION IX

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 (C) Nos.13651-13652/2014

(Arising out of impugned final judgment and order dated 04/12/2012 in SCA No.27223/2007 and order dated 23/24.01.2014 in LPA No.68/2013, passed by the High Court Of Gujarat At Ahmedabad)

PATEL AMBALAL SHANKARBHAI & ORS.

Petitioner(s)

VERSUS

PATEL GANESH BHAI MOHANBHAI & ORS

Respondent(s)

(With interim relief and office report)

WITH SLP(C) No.11808/2014

(With Office Report)

SLP(C) No.11809/2014 (With Office Report)

SLP(C) No.14037/2014

(With Office Report)

SLP(C) No.14453-14455/2014

(With Interim Relief and Office Report)

SLP(C) Nos.14645-14646/2014

(With Office Report)

SLP(C) Nos.16775-16776/2014

(With appln.(s) for placing addl. facts and documents on record and

appln.(s) for c/delay in filing SLP and Office Report)

SLP(C) Nos.30151-30152/2014

(With appln.(s) for c/delay in filing SLP and Office Report)

Date : 29/04/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Amar Dave, Adv.
Ms. Anushree Menon, Adv.
Mr. Vikas Mehta, Adv.

Mr. Rajiv Kumar, Adv.
Mr. Vijay Chandrajhu, Adv.
Mr. Rameshwar Prasad Goyal, Adv.

Mr. R.P. Bhatt, Sr. Adv.
Mr. Sanjay Kapur, Adv.
Mr. Anmol Chandan, Adv.
Mr. Ravi Chandra Ganesh, Adv.
Ms. Priyanka Das, Adv.

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Ms. Hemantika Wahi, Adv.
Mr. Kabir Hathi, Adv.

For Respondent(s) Mr. Ejaz Maqbool, Adv.

Mr. O. P. Bhadani, Adv.
Mr. Deepak R. Dave, Adv.

Ms. Hemantika Wahi, Adv.

Mr. Chander Uday Singh, Sr. Adv.
Mr. Keyur Gandhi, Adv.
Mr. K. R. Sasiprabhu, Adv.
Mr. Somiran Sharma, Adv.
Mr. Biju P. Raman, Adv.
Mr. Shivraj Goankar, Adv.
Mr. Vishnu Sharma, Adv.
Mr. M. D'Souza, Adv.
Mr. Rishi Gatham, Adv.
Mr. Gauram Thakur, Adv.

Mr Ranjeet Kumar, Adv.
Mrs. B. Sunita Rao, Adv.

Mr. D. Mahesh Babu, Adv.

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

Delay condoned.

Leave granted.

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

(Sanjay Kumar-II)
Court Master

(Indu Pokhriyal)
Court Master

(Signed Order is placed on the file)