

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(s).10322/2003

(From the judgment and order dated 10/04/2003 in AFO No. 283/2002 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

AMUL SHASHIKANT PAREKH

Petitioner(s)

VERSUS

HIMMATLAL JAMNADAS MANIYAR AND ORS.

Respondent(s)

(With appln(s) for substitution,c/delay in filing substitution appln.,permission to file additional

documents and prayer for interim relief and office report)

WITH

SLP(C) NO. 10323 of 2003

(With appln. for exemption from filing c/c of the impugned judgment and exemption from filing O.T. and with prayer for interim relief)

SLP(C) NO. 10324 of 2003

(With appln. for exemption from filing c/c of the impugned judgment and exemption from filing O.T. and permission to file affidavit and with prayer for interim relief)

SLP(C) NO. 10325 of 2003

(With appln. for exemption from filing c/c of the impugned judgment and exemption from filing O.T. and substitution and c/delay in filing substitution appln. and with prayer for interim relief)

SLP(C) NO. 10345 of 2003

(With appln. for exemption from filing c/c of the impugned judgment and exemption from filing O.T. and substitution and c/delay in filing substitution appln. and with prayer for interim relief)

SLP(C) NO. 10354 of 2003

(With appln. for exemption from filing c/c of the impugned judgment and exemption from filing O.T. and substitution and c/delay in filing substitution appln. and permission to file VOL-II and

exemption from filing O.T. and permission to place addl. documents)

SLP(C) NO. 10556 of 2003

With appln. for exemption from filing c/c of the impugned judgment and exemption from filing O.T. and substitution and c/delay in filing substitution appln. and with prayer for interim relief)

SLP(C) NO. 10564 of 2003

(With appln. for exemption from filing c/c of the impugned judgment and exemption from filing O.T. and with prayer for interim relief)

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SLP(C) NO. 10781 of 2003

(With appln. for substitution and c/delay in filing substitution appln. and with prayer for interim relief and office report)

Date: 15/02/2006 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner(s) Mr. Mukul Rohtagi, Sr. Adv.

Mr. Anip Sachthey, Adv.

Mr. Shrinivas R Khalap, Adv.

Mr. Mohit Paul, Adv.

For Respondent(s) Mr. Vinod Bobde, Sr. Adv.

Mr. P.H. Parekh, Adv.

Mr. Shyam Mudaliar, Adv.

Ms. Meenakshi Roy, Adv.

Mr. Sheetal Patel, Adv.

for M/S P.H. Parekh & Co., Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

The trial Court granted injunction and the High Court by the impugned

order modified it and directed that in case defendants transfer any portion of suit

property, the names of such purchasers should be disclosed to the trial Court and

the plaintiff will be at liberty to join them in the suits so that ultimately such

purchasers would be bound by decree to be passed by the trial Court. In our view,

this direction by the High Court is not justified and is, accordingly, set aside.

However, it is directed that if suit property is either transferred or alienated in any

manner, the same shall be subject to result of the suits. The trial Court is directed

to take all possible steps for disposal of the pending suits, preferably, within a

period of nine months from the date of receipt/production of copy of this order. All

the parties shall cooperate the Court in disposal of suits within the aforesaid time

frame.

..3/-

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The special leave petitions are, accordingly, disposed of. Interim order

stands vacated.

No orders on the application for condonation of delay in filing

substitution application and application for substitution.

[Charanjeet Kaur]

[Om Prakash]

Court Master

Court Master