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SLP(C)No. 11413 OF 2000

ITEM No.204

Court No. 8

SECTION IVA  
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.11413/2000

(From the judgement and order dated 29/09/1999 in SA 140/96  
of The HIGH COURT OF M.P AT GWALIOR)

DAYA RAM & ANR.

Petitioner (s)

VERSUS

MANPAL & ANR.

Respondent (s)

( With prayer for interim relief)  
( For Final Disposal )

Date : 21/09/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI  
HON'BLE MR. JUSTICE S.N. PHUKAN

For Petitioner (s) Mr. Shiv Dayal Srivastava, Sr.Adv.  
Mr. Rajesh, Adv.  
Mr. SS. Nehra, Adv.

For Respondent (s) Ms. Niranjana Singh,Adv.

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

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

Leave is granted.  
The appeal is allowed. No costs.

.SP1

(S.Thapar) (Kanwal Singh)@@  
AA  
PS to Registrar Court Master@@  
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The signed order is placed on the file.

L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6610 OF 2001.@@  
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(Arising out of SLP(Civil) No.11413 of 2000)

Daya Ram & Anr.

Appellant (s)

Versus

Manpal & Anr.

Respondent (s)

O R D E R@@  
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.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J  
.SP2

Heard learned counsel for the parties.  
Leave is granted.

The point raised in this appeal stands covered by the  
decision of this Court in Kastur Chand & Another Vs.@@  
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Harbilash & Others (2000 (7) SCC 611). This is what is@@  
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represented by the learned counsel for the parties.  
Accordingly, the order of the High Court, under challenge, is  
set aside. Suit of the respondent is dismissed. The appeal  
is thus allowed. No costs.

.SP1

.....J  
(Syed Shah Mohammed Quadri)

New Delhi,  
September 21, 2001

.....J  
(S.N. Phukan)