

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.13161/2001

(From the judgement and order dated 04/07/2001 in CA 643/01
of The HIGH COURT OF BOMBAY)

SUNIL ADVANI

Petitioner (s)

VERSUS

ANIL ADVANI & ANR.

Respondent (s)

(With Appln(s). for exemption from filing c/c of the impugned Judgment)
(With prayer for interim relief)

Date : 17/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Mr. Vipin Gogia, adv.
Ms. Jaspreet Gogia, adv.

For Respondent (s)
- Caveator (s) Mr. Anil C Singh, adv.
Ms. Meenakshi Sakhardande, adv.
for Ms. Ruby Singh Ahuja, adv.

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

Issue notice.

Notice has been accepted by Mr. Anil C.Singh. He does not propose to file any counter affidavit.

Leave granted.

The appeal is allowed. There shall be no order as to costs.

.SP1

(Alka Dudeja)
Court Master

(S. Krishnan)
Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5503 OF 2001@@
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(Arising out of S.L.P.(C) No. 13161/2001)

Sunil Advani ... Appellant

Vs.

Anil Advani and Anr. ... Respondents

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

Issue notice.

Notice has been accepted by Mr. Anil C. Singh. He does not propose to file any counter affidavit. Parties are agreed that this case be disposed of at this stage.

Leave granted.

This appeal is directed against the order of the High Court dismissing the application for condonation of delay of 178 days. We have perused the record and are satisfied that the appellant has made out sufficient cause for condonation of delay. We, accordingly, condone the delay and set aside the judgment under challenge.

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The appeal is allowed. The matter is remitted to the High Court for deciding the appeal on merits. There shall be no order as to costs.

.....L.....I.....T.....T..T....T.....T.....T.....J
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.....J.
(V.N. KHARE)

.....J.
(B.N. AGRAWAL)

NEW DELHI
AUGUST 17, 2001.