

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).16218/2013

(From the judgement and order dated 05/04/2013 in EP No.2/2012 of The HIGH COURT OF JUDICATURE AT ALLAHABAD, BENCH AT LUCKNOW)

RAM SINGH

Petitioner(s)

VERSUS

RAJENDRA PRATAP SINGH URF MOTI SINGH&ORS

Respondent(s)

(With appln(s) for exemption from filing O.T. and prayer for interim relief
)

Date: 07/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s)

Mr. Ravindra Srivastava, Sr.Adv.
Mr. Prem Prakash, Adv.
Ms. Akansha Yadav, Adv.
Ms. Asha Upadhyay, Adv.
Mr. R.D. Upadhyay, Adv.

For Respondent(s)

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

Whilst we are not inclined to interfere with the order passed by the High Court, we are of the opinion that it would have been more prudent for the High Court to have decided the preliminary objections raised by the petitioner before recording evidence of the parties.

In view of the above, we request the High Court to decide the preliminary objections raised by the petitioner before the evidence is recorded.

The special leave petition is disposed of accordingly.

(Sukhbir Paul Kaur)
Court Master

(S.S.R.Krishna)
Court Master