

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...../2011
CC 9556-9560/2011

(From the judgement and order dated 01/10/2010 in WP(C)
Nos.7823/2009 & 9765/2009 and final judgment and order dated
10/11/2010 in RP No.231/2010 & RP No.232/2010 and final judgment
and order dated 10/11/2010 in MC No.18020/2010 in WP(C) Nos.7823
& 9765 of 2009 of the HIGH COURT OF ORISSA AT CUTTACK)

BANK OF INDIA Petitioner(s)
VERSUS

NIRMAL KUMAR JHA & ORS. Respondent(s)

(With I.A. Nos.1-5 for c/delay in filing SLP and office report)

Date:25/07/2011 These Petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. Pranab Kumar Mullick,Adv.
Ms. Soma Mullick,Adv.

For Respondent(s) Mr. Arun Khosla,Adv.
Mr. B.S. Tripathi,Adv.
Mr. Shreeanka Kakkar,Adv.
Mr. Sunil Kumar Jain,Adv.

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

Delay condoned. Leave granted.

Heard the learned counsel appearing on behalf of
the parties.

The order passed by the High Court in review
petitions is set aside, the matters are remitted to the
High Court for fresh consideration and the appeals are
disposed of in terms of the signed order.

(A.S. BISHT) (NEERU BALA VIJ)
COURT MASTER ASSISTANT REGISTRAR
(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 6002-6006 OF 2011
(Arising out of SLP(C) Nos.20811-20815/2011)
(CC Nos.9556-9560/2011)

BANK OF INDIA Appellant(s)
:VERSUS:
NIRMAL KUMAR JHA & ORS. Respondent(s)

O R D E R

Delay condoned.

Leave granted.

We have heard the learned counsel appearing on behalf of the parties.

In the facts and circumstances of these cases, we are of the considered view that the order passed by the Division Bench of the High Court in review petitions cannot be sustained which is, accordingly, set aside. The matters are remitted to the High Court of Orissa at Cuttack for fresh consideration.

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We request the High Court to decide the review petitions afresh and the application for modification of the order filed by the Bank of India, as expeditiously as possible, in any event, within three months from the date of communication of this order.

These appeals are disposed of with the aforementioned observation.

.....J
(DALVEER BHANDARI)

.....J
(DEEPAK VERMA)

New Delhi;
July 25, 2011.