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SLP(C)No. 15426 OF 2001
ITEM No.27

Court No.10

SECTION XIV
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.15426/2001
(From the judgement and order dated 01/08/2001 in LPA 502/99
of The HIGH COURT OF DELHI AT N. DELHI)

MAMTA RANI

Petitioner (s)

VERSUS

J.S. JOLLY & ORS.
(With prayer for interim relief)

Respondent (s)

WITH
SLP(C)No.15607/2001

Date : 12/04/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE BISHESHWAR PRASAD SINGH

For Petitioner (s) Mr. K.K. Venugopal, Sr.Adv.
Mr. Krishnan Venugopal, Adv.
Ms. Kawaljit Kochar, Adv.
Mr. Uday Tiwari, Adv.
Ms. Sonal Mahajan, Adv.
Mr. C.L. Bashal, Adv.
Mr. S.C. Paul, Adv.
Ms. Kusum Chaudhary, Adv.

For Respondent (s) Mr. B.A. Mohanty, Sr.Adv.
Mr. Avatar Singh Rawat, Adv.
Mr. D.S. Mahra, Adv.

Mr. Raju Ramachandran, Sr.Adv.
Mr. Arun K. Sinha, Adv.

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

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Learned counsel for the parties addressed the Court
for about fifteen minutes.

Leave granted.

The appeals stand disposed of in terms of the signed
order with no order as to the costs.

Status-quo, in the matter of flat in question shall
continue to remain in operation during the hearing of the
appeals in the High Court.

.SP1

(Neena Verma)
Court Master

(Radha Rani Bhatia)
Court Master

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2691 OF 2002@@

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(@ Special Leave Petition (C) No.15426/2001)

Smt. Mamta Rani Appellant

Versus

Shri J.S. Jolly & Ors. Respondents

WITH@@
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CIVIL APPEAL NO.2702 OF 2002@@

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(@ Special Leave Petition (C) No.15607/2001)

O R D E R@@
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Leave granted.

The litigation between the parties led to filing of two L.P.As., namely LPA No.502/1999 and 380/2001. The two L.P.As. were heard separately and disposed of by two separate orders, though by the same Bench and on the same date. However, in the facts and circumstances of this case, we are satisfied to hold that the two L.P.As. should have been heard together and disposed of by one order so as to do complete justice between the parties.

For this short reason, the orders dated 01.08.2001 in both the L.P.As. are set aside. The L.P.As. shall stand restored on the file of the Delhi High Court. The ...2/-

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delay in filing LPA No.380/2001 shall stand condoned. Consequently, both the appeals shall be heard and decided on merits. Liberty is allowed to the parties to raise additional grounds, if any, for consideration of the High Court.

Looking to the nature of the controversy and the time for which it has been pending, we request the High Court to take up the appeals and decide the same expeditiously and in any case within a period of six months

from the date of communication of this order.

Status-quo, in the matter of flat in question shall continue to remain in operation during the hearing of the appeals in the High Court.

The appeals stand disposed of in the terms stated hereinabove. No order as to the costs.

.SP1

.....J.
(R.C. LAHOTI)

.....J.
(BISHESHWAR PRASAD SINGH)

New Delhi,
April 12, 2002.