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SLP(C)No. 13131 OF 2003

ITEM No.61

Court No.8

SECTION XI

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.13131/2003

(From the judgement and order dated 10/04/2003 in FAFO 903/2003
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

AJAY KUMAR SHAKYA & ANR.

Petitioner (s)

VERSUS

KANTI DEVI & ANR.

Respondent (s)

(With appln(s). for exemption from filing c/c copy of the impugned
judgement and prayer for interim relief)

Date : 01/09/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s)Mr. Vishwajit Singh,Adv.
Mr. Ravi Kumar Verma,Adv.
Mr. Ritesh Agrawal,Adv.

For Respondent (s)

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

The learned counsel for the petitioners, after arguing for some time, sought permission to withdraw the special leave petition on the ground that the Award was passed by the Motor Accident Claims Tribunal on 15th February, 2003. The learned District Judge addressed a letter to M/s . Shakti Tractors, Kalpi Road, Orai, seeking information about the date, month and year of purchase of Rajdoot Motorcycle from their record by Shri Bramha Nand

...2/-

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Shakya, S/o Mahtab Singh. The learned counsel submitted that the High Court did not consider about the effect of this letter, although it was specifically urged on behalf of the petitioner. From the impugned order, we do not find that such a ground was urged. Under the circumstances, the learned counsel for the petitioners sought permission to withdraw the special leave petition to approach the High Court seeking review of the order on the ground, afore-mentioned .

Accordingly, the special leave petition is dismissed as withdrawn, subject to what is stated above.

[T.I. Rajput][Shelly Sengupta]
Court Master Court Master