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SLP(C)No. 16761 OF 2000

ITEM No.202

Court No. 2

SECTION XII  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.16761/2000

(From the judgement and order dated 14/06/2000 in CMP 915/00  
of The HIGH COURT OF MADRAS)

MARIAMMAL & ORS.

Petitioner (s)

VERSUS

A. CHINNADURAI NADAR & ORS.

Respondent (s)

(With prayer for interim relief and office report)  
( For Final Disposal )

Date : 14/02/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU  
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)

Mr. Ajit Kumar Sinha,Adv.

For Respondent (s)

Mr. K.R. Choudhary, Sr. Adv.

Mrs. Prabha Swami, Adv.

Mr. Krishnamurthi Swami,Adv.

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

Heard learned counsel for the parties for some time.

The appeal is allowed in terms of the signed order.

Charanjit

[ Om Prakash ]  
Court Master

[ Signed order is placed on the file ]

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2003  
[ arising out of SLP(C) 16761/2000 ]

Mariammal & Ors.

.... Petitioner

Versus

A. Chinnadurai Nadar & Ors.

....

Respondents

O R D E R

Leave granted.

This appeal arises out of an order made by the High Court on the Letters Patent side C condoning the delay in filing of O.S.A.S.R. No. 901/2000. It is not clear from the order or the proceedings of the Court as to whether any notice has been served upon the respondents before condoning the delay. Therefore, we set aside the order made by the High Court in C.M.P. No. 915/2000 on 14.6.2000 and remit the matter to the High court for fresh consideration on this aspect.

The appeal is allowed accordingly.

[ S.RAJENDRA BABU ]

.....J

.....J

[ ASHOK BHAN ]

NEW DELHI,  
FEBRUARY 14, 2003