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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 5963 OF 2002

STATE BANK OF HYDERABAD & ORS.

Appellants

VERSUS

NAGAMANI KOTTA R K I

Respondent

ORDER

Heard learned counsel for the parties.

Considering the facts and circumstances of the case, we are not inclined to interfere with the discretionary order passed by the High Court following a decision of the Supreme Court of India in State Bank of Patiala versus Harbans Singh, reported in 1994 (3) SCC 495. Accordingly, the Civil Appeal is dismissed with no order as to costs. Interim order, if any, stands vacated. However, the question of law involved in this appeal is kept open for decision in an appropriate case.

.....J .
(TARUN CHATTERJEE)

.....J .
(AFTAB ALAM)

NEW DELHI,
SEPTEMBER 16, 2008.
ITEM NO.114

COURT NO.8

SECTION IVA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 5963 OF 2002

STATE BANK OF HYDERABAD & ORS.

Appellant (s)

VERSUS

NAGAMANI KOTTA R K I

Respondent(s)

Date: 16 / 09 / 2008 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE AFTAB ALAM

For Appellant(s) Mr. A.V. Rangam, Adv.
Mr. Buddy A. Ranganathan, Adv.

For Respondent(s) Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Avijeet K., Adv.
Mr. K. H. A. R. K. P. A. M. Nobin Singh, Adv.

UPON hearing counsel the Court made the following

OR D E R

Civil Appeal is dismissed with no order as to costs, in terms of signed order placed on the file. Interim order, if any, stands vacated. However, the question of law involved in this appeal is kept open for decision in an appropriate case.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed Order is placed on the file)