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SLP(C)No. 17913 OF 2000
ITEM No.206

Court No.11

SECTION XVII
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.17913/2000

(From the judgement and order dated 08/05/2000 in AOD 226/96
of The HIGH COURT OF PATNA)

RAM ASHISH MISHRA

Petitioner (s)

VERSUS

BIMLA DEVI SARAF & ORS.

Respondent (s)

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

Date : 15/02/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE DORAISWAMY RAJU

For Petitioner (s)

Mr. S.B. Upadhyay, Adv.

For Respondent (s)

Mr. L. Nageshwar Rao, Sr. Adv.
Mr. Himanshu Munshi, Adv.

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

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We are not inclined to interfere with the finding of fact arrived at by the High Court. The Special Leave Petition is dismissed. However, during the execution proceedings if it is technically proved that the building can not be partitioned, then it will be open to the parties to raise such objections.

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(Ganga Thakur)
P.S.to Registrar

(Prem Prakash)
Court Master