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SLP(C)No. 15994-15995 OF 2003

ITEM No.47

Court No. 9

SECTION IX
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) Nos.15994-15995/2003

(From the judgement and order dated 10/06/2003 in FA 723/2003
and CA 1653/2003 of The HIGH COURT OF BOMBAY)

AMRISHCHANDRA AGARWAL

Petitioner (s)

VERSUS

ANTHONY JOHN PEREIRA & ORS.

Respondent (s)

(With appln.(s) for substitution, c/delay in filing substitution
application and prayer for interim relief)

Date : 26/04/2004 These Petitions were called on for hearing today.

CORAM :

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

For Petitioner (s)Mr. Dhruv Mehta,Adv.
Ms. Shalini Gupta,Adv.
Mr. Mohit Chaudhary,Adv.
for M/s K.L. Mehta & Co.,Advs.

For Respondent (s)Mr. K.N. Bhat,Sr.Adv.
Mr. Vijay Nair,Adv.
Mr. Santosh Paul,Adv.
Mr. M.J. Paul,Adv.
Mr. Sandeep Chhabra,Adv.
Mr. Ranjan Kumar,Adv.

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

Heard the learned counsel for the parties for a while.

No orders on the applications for substitution.

Leave granted.

The civil appeals are disposed of.

No costs.

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

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 2700-2701 OF 2004
(Arising out of S.L.P. (C) Nos.15994-15995 of 2003)

Amrishchandra Agarwal ...Appellant(s)

Versus

Anthony John Pereira & Ors. ...Respondent(s)

O R D E R

Leave granted.

The interim order passed by the High Court in the pending appeal is under challenge in these appeals.

After hearing the learned counsel for the parties, we do not find any good ground to interfere with the impugned order, except that the permission given to Respondent Nos.1 and 2 to withdraw the amount, ordered to be deposited by the appellant, needs to be altered. Accordingly, while maintaining the direction to the appellant to deposit the amount, we order that Respondent Nos.1 and 2 shall be permitted to withdraw fifty per cent of the amount, that may be deposited by the appellant, subject to the final order to be passed and directions that may be given in the main appeal by the High Court, on furnishing security to the satisfaction of the High Court.

The time granted by the High Court to deposit the amount is extended by six weeks from today. The civil appeals are, accordingly, disposed of.

No costs.

.....J.
[SHIVARAJ V. PATIL]

.....J.
[D.M. DHARMADHIKARI]

New Delhi,
April 26, 2004.