

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(s).12123/2006

(From the judgment and order dated 04/07/2006 in CM No. 1567/2004

of The HIGH COURT OF DELHI AT N. DELHI)

SHIV KISHAN AGGARWAL & ORS.

Petitioner(s)

VERSUS

KAMLA DEVI AGGARWAL & ANR.

Respondent(s)

(With appln. for exemption from filing c/c of the impugned Judgment and prayer for interim relief and

office report)

Date: 04/08/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s) Mr. D.A. Dave, Sr.Adv.

Mr. Rana Mukherjee, Adv.

Mr. Mahendra Rana, Adv.

Mr. Ratnesh, Adv.

Mr. Amarjeet Singh, Adv.

Mr. Siddharth Gautam, Adv.

Mr. Goodwill Indeevar, Adv.

For Respondent(s) Mr. RF Nariman, Sr.Adv.

Mr. C. Mukund, Adv.

Mr. Pankaj Jain, Adv.

Mr. Bijoy Kumar Jain, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The civil appeal is partly allowed.

[Usha Bhardwaj]

Court Master

[Madhu Saxena]

Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO..... OF 2006

(Arising out of S.L.P. (Civil) No. 12123 of 2006)

Shiv Kishan Aggarwal & Ors.

...Appellant(s)

Versus

Kamla Devi Aggarwal & Anr.

...Respondent(s)

O R D E R

Leave granted.

We are not inclined to interfere as the matter pertains to

amendment of the plaint. However, by the impugned judgment the

Court has imposed the cost of Rs. 1 lakh. To that extent, the order is

set aside. The civil appeal is partly allowed.

All the contentions of the parties on merits are expressly kept

open.

.....J.

(S.H. KAPADIA)

.....J.

(R.V.RAVEENDRAN)

New Delhi,

04, August, 2006