

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).17480/2010

(From the judgement and order dated 26/04/2010 in FA No.395/2004 of The HIGH COURT OF M.P AT JABALPUR)

SMT. MANI & ORS. Petitioner(s)

VERSUS

BANKE BIHARIJI BAZAR CHHATTARPUR & ORS. Respondent(s)

(With appln(s) for permission to file additional documents and prayer for interim relief and office report)

Date: 27/09/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Fakhruddin, Sr.Adv.
Mr. Raj Kishor Choudhary, Adv.
Ms. Sheeba Fakhruddin Adil, Adv.
Mr. Surya Kamal Mishra, Adv.
Mr. Jaswant Mann, Adv.
Ms. Sadaf Rehman, Adv.
Mr. T. Mahipal, Adv.

For Respondent(s) Mr. H.K. Chaturvedi, Adv.
Ms. Anjali Chatur5vedi, Adv.

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

Leave granted.
The appeal stands disposed of.

[Usha Bhardwaj]
A.R-cum-P.S.

[Sneh Lata Sharma]
Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8868 OF 2013
(Arising out of SLP (Civil) No.17480 of 2010)

Mst. Mani & Ors.

Appellant(s)

Versus

Banke Bihariji Bazar Chhattarpur & Ors.

Respondent(s)

O R D E R

Leave granted.

(1) Heard Mr. Fakhruddin learned senior counsel in support of this petition as well as learned counsel for respondents.

(2) The principal objection of the appellants to the impugned order is that the Cross Objections filed by the appellants were not decided. Hence, having heard both the counsel, we direct that the proceedings in the High Court being First Appeal No.395 of 2004 will stand revived to the file of the Madhya Pradesh High Court Bench at Jabalpur for deciding the Cross Objections filed by the appellants and then to decide the appeal.

(3) Impugned judgment and order stands set aside for that purpose. The High Court is requested to decide the First Appeal which is restored as above, as early as possible preferably within a period of six months from the date of the receipt of the copy of this order. ...2/-

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With the above observation, the appeal stands disposed of.

.....J.
[H.L. GOKHALE]

.....
[J. CHELAMESWAR]

NEW DELHI,
SEPTEMBER 27, 2013.