

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).12350/2006

(From the judgement and order dated 23/05/2006 in FAOS No. 268/2006 of The
HIGH COURT OF DELHI AT N. DELHI)

BHAGWAN KRISHAN GUPTA

Petitioner(s)

VERSUS

PRABHA GUPTA & ORS.

Respondent(s)

(With prayer for interim relief)

(For final disposal)

Date: 27/04/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s)

Mr. M.A.Chinnasamy,Adv.

For Respondent(s)

Mr. Y.D. Nagar, Adv.

Mr. K.S. Rana,Adv.

Mr.Aditya Sharma, Adv.

Mr. S.N. Bhat ,Adv

Mr. N.P.S. Panwar, Adv.

Mr. D.P.Chaturvedi, Adv.

Mr.Sachin Jain, Adv.

Dr. Kailash Chand ,Adv

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

I

(Meenu Sethi)

(Pushap Lata Bhardwaj)

Court Master

Court Master

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2220 /2007

(@ SLP(C) No. 12350/2006)

Bhagwan Krishan Gupta ...Appellant

Versus

Prabha Gupta & Ors. ...Respondent

ORDER

Leave granted.

The Division Bench of the High Court, in our

opinion, has not dealt with the matter fully and in particular

the construction of the Will executed by Shri Murari Lal

Gupta which, in our opinion, deserved serious consideration.

We, therefore, set aside the impugned judgment and remit the matter back to the High Court. We would request the Division Bench of the High Court to consider the desirability of disposing the appeal, keeping in view the nature of the disputes between the parties, as expeditiously as possible and preferably within a period of three months from the date of communication of this order.

The appeal is allowed.

.....J.

[S.B. SINHA]

.....

...J.

[MARKANDEY

KATJU]

New Delhi,

April 27, 2007