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C.A.No. 5168 OF 1998

ITEM No.1

Court No. 4

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No.5168/1998

WELFARE ASOCN. A.R.P., MAHARASHTRA & ANR

Appellant (s)

VERSUS

RANJIT P. GOHIL & ORS

Respondent (s)

With

Civil Appeal Nos.5169/1998, 5170/1998

Civil Appeal No.920/1999

(With prayer for interim relief)(For final disposal)

Civil Appeal Nos.2484/1999, 1405-1407/2003, 5692/1998

Civil Appeal Nos.5681-5691/1998

(With appln. for bringing Lrs. on record)

Civil Appeal Nos.6145/2001, 6146/2001, 7879/2001

Civil Appeal Nos.4091/2002, 1408-1409/2003

(With prayer for interim relief)

Civil Appeal No.5334/2002

(With prayer for interim relief and office report)

(FOR DIRECTIONS)

Date : 29/07/2003 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI

HON'BLE MR. JUSTICE ASHOK BHAN

For Appellant (s)

Mr. Bhargava V. Desai, Adv.

in C.A.920/99:Mr. R.F. Nariman, Sr. Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Rishi Agrawal, Adv.

Mr. E.C. Agrawala, Adv.

Mr. Alok Agarwal, Av.

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For Appellant (s)

in C.As.1405-07/03

& 5681-91/98:Mr. Deepak Chitnis, Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Rishi Agrawal, Adv.
Mr. E.C. Agrawala, Adv.

Mr. D.M. Nargolkar, Adv.

Mr. Sushil Karanjkar, Adv.
Mr. Venkateswara Rao Anumolu, Adv.

Mr. S.V. Deshpande, Adv.
Mrs. Anuradha Rustagi, Adv.

Mr. Shiv Kumar Suri, Adv.

For State of
Maharashtra:Mr. Ravindra K. Adsure, Adv.
Mr. Mukesh K. Giri, Adv.

For Respondent (s)Mr. S. Guru Krishna Kumar, Adv.
Mr. S.R. Setia, Adv.

Mr. S.N. Bhat, Adv.

Mr. Ashok Kumar Singh, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Ms. Sangeeta Mandal, Adv.
Mr. Kapil Chaudhary, Adv.
Ms. Swati Sinha, Adv.
Ms. Jayasree Singh, Adv.
for M/s. Fox Mandal & Co., Advs.

Mrs. Rachna Gupta, Adv.

Mr. R.S. Lambat, Adv.

Ms. Indu Malhotra, Adv.

Mr. Uday Umesh Lalit, Adv.

Mr. Shri Narain, Adv.
Mr. Sandeep narain, Adv.
Ms. Anjali Jha, Adv.
for M/s. S.Narain & Co., Advs.

Mr. G.B. Sathe, Adv.

Mr. Gopal Jain, Adv.
Mrs. Nandini Gore, Adv.

Mr. Nikhil Sakhardande, Adv.
Mr. Shridhar Y. Chitale, Adv.
Mr. A.P. Medh, Adv.

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

The appeals are disposed of in terms of the signed order.
In C.A.No.5168/1998 and C.A.Nos.5681-5691/1998, some of the respondents are reported to have died. The appellants are allowed the liberty of moving the High Court for bringing on record the L.Rs. of the deceased respondents. Let the I.As. for substitution be transmitted to the High Court.

(N. Annapurna)

(Radha R. Bhatia)

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5168 OF 1998

Welfare Asocn., A.R.P., Maharashtra & Anr. ...Appellant(s)

Versus

Ranjit P. Gohil & Ors. ...Respondent(s)

W I T H

CIVIL APPEAL NOS.5169/1998, 5170/1998, 920/1999, 2484/1999, 1405-1407/2003, 5692/1998, 5681-5691/1998, 6145/2001, 6146/2001, 7879/2001, 4091/2002, 1408-1409/2003 & 5334/2002

O R D E R

All the learned counsel for the different parties appearing in these matters submit that the question of vires having been decided, the matters may be sent back to the High Court so that the issues other than the question of vires can be taken into consideration by the High Court and individual writ petitions disposed of.

Prayer is allowed.

All the matters are remanded to the High Court for being decided consistently with the law laid down by this

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Court in the judgment dated 18th February, 2003. The High Court shall be free to form its own opinion and decide the issues other than those covered by this judgment of this Court.

In C.A.No.5168/1998 and C.A.Nos.5681-5691/1998, some of the respondents are reported to have died. The appellants are allowed the liberty of moving the High Court for bringing on record the L.Rs. of the deceased respondents. Let the I.As. for substitution be transmitted to the High Court.

The appeals are disposed of accordingly.

(R.C. LAHOTI)

.....J.

.....J.

(ASHOK BHAN)

New Delhi,
July 29, 2003.

