

ITEM NO.26

COURT NO.11

SECTION IVA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).29325/2010
(From the judgement and order dated 15/02/2010 in WP No. 646/2009
of The HIGH COURT OF M.P AT JABALPUR)

SATYA PAL ANAND

Petitioner(s)

VERSUS

STATE OF M.P. AND ANR.

Respondent(s)

(With prayer for interim relief and office report)

Date: 25/10/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Shiv Sagar Tiwari,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Shri Shiv Sagar Tiwari, Advocate, who filed vakalatnama on behalf of the petitioner, says that he has been instructed by the petitioner not to appear in the case because he would like to argue his own case.

The petitioner has not appeared to argue the case. However, we do not consider it proper to adjourn the matter.

Ltd.,	The	Punjabi	Housing	Co-operative	Society
Punjabi	Bhopal	(respondent	No.4)	sold plot	No. 7-B,
Wirawali	Anand	vide sale deed	dated 22.3.1962.	petitioner's	mother Smt.
Wirawali	Anand	died	on 12.6.1988.	After	16 years,
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respondent No.4 is said to have executed another sale deed in respect of the same plot in favour of respondent No.3. On coming to know of the transfer of the land in favour of respondent No.3, the petitioner initiated three proceedings. In the first instance, he filed a petition under Section 64 of the Madhya Pradesh Co-operative Societies Act, which proceeding is pending before the Deputy Registrar Court, Co-operative Societies, Bhopal. He filed F.I.R. dated 12.9.2008, which is pending investigation. The petitioner also demanded cancellation of the building permission granted to respondent No.3 by Municipal Commissioner, Bhopal, but the latter did not take any action. He then filed writ petition for quashing the sale of plot to respondent No.3.

By the impugned order, the High Court disposed of the writ petition with a direction to the concerned Deputy Registrar to finally dispose of the dispute after giving opportunity of hearing to the parties.

In our view, the impugned order does not

suffer from any legal infirmity.

Rather, by directing the Deputy Registrar to finally decide the matter, the High Court has done substantial justice and we do not find any valid ground to interfere with the impugned order.

The special leave petition is accordingly dismissed.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master