

SLP(C)No. 19414 OF 2001
ITEM No.56

Court No. 7

SECTION IVB
A/N MATTER

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.19414/2001

(From the judgement and order dated 04/10/2001 in CM 8093/01
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

MOHINDER KUMAR JAIN & ANR.

Petitioner (s)

VERSUS

DIN DAYAL

Respondent (s)

(With prayer for interim relief)

Date : 28/01/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Mr. RK Jain, Sr. Adv.
Mr. Tarun Sharma, Adv.
Mr. Uma Datta, Adv.

For Respondent (s) Mr. Ranjit Kumar, Sr. Adv.
Mr Ajay Kumar Jain, Adv.

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

...L.....I....T.....T.....T.....T.....T.....T.....T.....T.....J
.SP2

Leave granted.
Heard the learned counsel for the parties.
The appeal is disposed of in terms fo the signed order.

.SP1

(D.L. Chugh)
Court Master

(K.K. Chadha)
Court Master

Signed order is placed on the file

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.....L.....I.....T.....T.....T.....T.....T.....T.....J
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2002@@
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(Arising out of SLP(C) No.19414 of 2001)

Mohinder Kumar Jain & Anr.

....Appellants

VERSUS

Din Dayal

....Respondent

O R D E R@@
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Leave granted.

Heard the learned counsel for the parties.

Admittedly, the impugned order correcting the decree is passed without hearing the judgment debtor. In this view of the matter, the same cannot be sustained and is, therefore, set aside. However, considering the fact that the litigation is pending since years, the High Court is requested to dispose of the application filed by the respondent on or before 30th March, 2002, in accordance with law. Learned counsel for the parties state that they would file their appearance in the High Court within two weeks from today. Accordingly, the matter is remitted to the High Court for disposal. The appeal stands disposed of accordingly.

.SP1

.....J.@@
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(M.B. SHAH)@@
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.....J.@@
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(B.N. AGRAWAL)@@
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New Delhi,
January 28, 2002