

:
ITEM NO.1

COURT NO.12

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
I.A.NO. 4 IN CIVIL APPEAL NO(s). 5112 OF 2002

ZULEKHA BIBI AND ORS.

Appellant (s)

VERSUS

HABIBUR REHAMAN (DEAD) BY LRS. & ORS.

Respondent(s)

(Appln. under Order XVIII Rule 5, SCR, 1966 with affidavit)

Date: 03/09/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE H.L. GOKHALE

For Appellant(s)

Mr. M.N. Krishnamani, Sr.Adv.
Mr. Ranjan Mukherjee, Adv.
Mr. Soumitra G. Choudhury, Adv.
Mr. Gaurav Kejriwal, Adv.
Mr. Faisal M., Adv.

For Respondent(s)

Ms. Abha Jain, Adv.

Mr. D.N. Ray, Adv.
Mr. Lokesh K. Choudhary, Adv.
Mrs. Sumita Ray, Adv.

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

Heard learned counsel for the applicants/appellants. We have perused the entire matter. In our opinion, on the basis of the facts pleaded in the application under Order XVIII Rule 5 of the Supreme Court Rules, 1966 against the Order dated 9.5.2011 passed by Registrar (J-II), the applicants have failed to make out any case for interference. However, in the interest of justice, we allow this application and restore the appeal to its original number.

The appeal is taken on Board.

Heard learned counsel for the parties.

We see no reason to interfere with the order passed by the High Court.

The civil appeal is, accordingly, dismissed.

(Sukhbir Paul Kaur)

(Indu Bala Kapur)

Court Master

Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. NO. 4
IN
CIVIL APPEAL NO.5112 OF 2002

| ZULEKHA BIBI AND OTHERS

| Appellant(s) |

Versus

| HABIBUR REHAMAN(DEAD) BY LRS. AND OTHERS

| Respondent(s) |

O R D E R

Heard learned counsel for the applicants/appellants. We have perused the entire matter. In our opinion, on the basis of the facts pleaded in the application under Order XVIII Rule 5 of the Supreme Court Rules, 1966 against the Order dated 9.5.2011 passed by Registrar (J-II), the applicants have failed to make out any case for interference. However, in the interest of justice, we allow this application and restore the appeal to its original number.

The appeal is taken on Board.

Heard learned counsel for the parties.

We see no reason to interfere with the order passed by the High Court.

The civil appeal is, accordingly, dismissed.

.....J.
(SURINDER SINGH NIJJAR)

.....J.
(H.L. GOKHALE)

New Delhi,
September 03, 2012