

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

I.A.Nos. 1-5 In &  
Petition(s) for Special Leave to Appeal(Civil).....CC 1392-1393/2002

(From the judgement and order dated 12/07/2001 in RSA 809/99 &  
812/99 of The HIGH COURT OF KARNATAKA AT BANGALORE)

AHALYABAI (D) BY LRS. Petitioner (s)

VERSUS

ISHWAR & ANR. Respondent (s)  
( For permission to file SLP and with prayer for interim relief )

Date : 15/02/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI  
HON'BLE MR. JUSTICE S.N. PHUKAN

For Petitioner (s) Mr. L. Nageswara Rao, Sr. Adv.  
Mr. Girish Ananthamurthy, Adv.  
for Mr. P.P. Singh,Adv.

For Respondent (s)

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

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Delay condoned.

Substitution allowed.

This special leave petition is directed against an order of remand. The High Court has not recorded any finding of its own on merits; whatever has been stated in the order of remand is only for the purpose of assigning reasons in justification of the order of remand. To allay the fears of the petitioner we clarify

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that the appeal shall be heard by the First Appellate Court, without being influenced by any observation made by the High Court in its impugned order touching merits of any point at issue in first appeal.

Subject to the above observations, the special leave petitions are dismissed.

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Sarita (V.P. Tyagi)@@  
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Court Master@@  
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