

&
SLP(C)No. 22798 OF 2001

ITEM No.13

Court No. 5

SECTION IVA

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

Petition(s) for Special Leave to Appeal (Civil) No.22798/2001

(From the judgement and order dated 23/10/2001 in CR 765/00
of The HIGH COURT OF M.P AT JABALPUR)

KAILASH KUMAR

Petitioner (s)

VERSUS

KRISHNA KANT MEHTA & ORS.

Respondent (s)

(With Appln(s). for exemption from filing c/c of the impugned Judgment)
(With prayer for interim relief)

Date : 11/01/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mr. Gaurab K. Banerjee,Adv. for
Ms. Ruby Singh Ahuja,Adv.

For Respondent (s)

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

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

We have heard learned counsel for the petitioner.
We do not find this petition a fit case for interference.
It is, accordingly, dismissed.

However, we would like to observe here that any
observation made by the Courts below that unless the
pleadings are filed, the plea would not constitute res
judicata, would not come in the way of the trial court in
deciding the matter. The matter shall be decided in
accordance with law.

.SP1

(Neelam Kawatra)
Court Master

(S. Krishnan)
Court Master