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SLP(C)No. 21208 OF 2003
ITEM No.8

Court No.11

SECTION IX
A/N MATTER

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.21208/2003

(From the interlocutory order dated 22/07/2003 in CA 1607/02
in Appeal from Order No.100/02 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

CHHAGANBHAI N. PATEL (D) BY LRS. & ORS.

Petitioner (s)

VERSUS

DAYARAM NEMABHAI PATEL & ORS.

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for recalling the court's order 24.11.2003 and publication of notice permission to submit additional document(s) and with prayer for interim relief and office report)

Date : 29/11/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)Mr. Peeyosh Kalra, Adv.
Mr. R.S. Suri,Adv.

For Respondent (s)Mr. S.C. Patel,Adv.

Mr. H.A. Raichura,Adv.

Mrs. S.H. Raichura, Adv.

Ms. Hemantika Wahi,Adv.

Ms. Arehana P. Phopde, Adv.

UPON hearing counsel the Court made the following

O R D E R

Counsel for the respondents states that Respondent Nos.8 to 11 in the special leave petition are persons who do not exist and therefore, no purpose will be served for effecting substituted service. Counsel for

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the petitioner states that these were the parties who were made defendants in the suit filed by the contesting respondents herein and therefore, they have been made parties. In view of the statement of counsel for the respondents, Respondent Nos. 8 to 11 are deleted from the array of parties.

I.A. No. 1 - Application for recalling the order of this Court issuing notice against non-existing respondent Nos. 8 to 11 is not pressed and is, therefore, dismissed.

I.A. No.2 - Application for filing additional documents is allowed on the basis of statement made by the Counsel for the petitioner that the documents filed by him shall form part of the Court below.

Four weeks' time is granted to the respondents for filing Counter affidavit. Two weeks' thereafter for rejoinder. Put up thereafter.

(SUKHBIR PAUL KAUR)

COURT MASTER

(ASHA JOSHI)

COURT MASTER