ITEM NO.40 COURT NO.10 SECTION XIV

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(s).20430/2011
(From the judgement and order dated 27/05/2011 in CRP No. 476/2010
of The HIGH COURT OF GUWAHATI ,ASSAM)

MUSTT KATAN BIBI AND ORS Petitioner(s)
VERSUS
MD ABDUL NOOR AND ORS Respondent(s)

(With prayer for interim relief and office report)

Date: 09/08/2011 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s) Mr. P. Vishwanatha Shetty, Sr.Adv.
Mr. Manish Goswami, Sr. Adv.
For M/S Map & Co.,A.O.R.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

This petition is directed against order dated 27.5.2011 passed by the learned Single Judge of the Gauhati High Court whereby he allowed the petition filed by the respondents under Article 227 of the Constitution and set aside the order passed by the trial Court on an application filed under Order XLI Rule 27 of the Code of Civil Procedure.

After making some submissions, Shri P. Vishwanatha Shetty, learned senior counsel appearing for the petitioners made a request that his clients may be permitted to withdraw this petition with liberty to seek review of the order under challenge.

The request of the learned counsel is

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accepted and the special leave petition is dismissed as withdrawn in terms of the prayer made.

However, it is made clear that liberty given to the petitioners to file review petition shall not be construed as a mandate of this Court to the High Court to entertain the review petition and if any such petition is filed, the High Court shall decide the same on its own merit.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master