

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3327 OF 2014
(Arising out of S.L.P.(C) No. 11101 OF 2006)

VIJAYA SHREE ... APPELLANT(S)

VERSUS

M/s GOLD STONE EXPORTS
PVT. LTD. & ORS. ...RESPONDENT(S)

C.A. NO. 3328 OF 2014 @ S.L.P.(C) No. 15028/2006,
C.A. NO. 3329 OF 2014 @ S.L.P.(C) No. 15699/2006,
C.A. NO. 3330 OF 2014 @ S.L.P.(C) No. 5349/2007,
C.A. NO. 3331 OF 2014 @ S.L.P.(C) No. 5350/2007 & S.L.P.(C) No.
21308 of 2008.

O R D E R

S.L.P. (C) Nos. 11101/2006, 15028/2006, 15699/2006, 5349/2007
and 5350/2007:

Delay condoned in filing the substitution applications. Applications for substitution are allowed. Application for deletion of the respondents is allowed. No orders on the applications for impleadment.

Leave granted.

After we have heard the matters for a pretty long time, it emerged that one of the Hon'ble Judges who had passed the impugned order dealt with the subject matter in issue as Principal District Judge, Ranga Reddy District, while disposing of an application under Order 21 Rule 97 and Rule 99 read with Section 151 of the Code of Civil Procedure and had passed the order on 8.06.1998, whereupon learned counsel for the parties suggest that the impugned order be set aside and the matters be remitted back to the Division Bench of the High Court for fresh consideration of the matters in accordance with law.

We order accordingly.

It is made clear that we have not expressed any opinion in regard to the merit of the cases of the parties.

As the matters are pending since long, we deem it expedient that the High Court decides the cases expeditiously, preferably

within a period of six months from the date the parties appear before it in the cases.

Further, we direct the parties to appear before the Andhra Pradesh High Court on 24.03.2014 and no notice is necessary to be issued by the High Court in this regard.

The Order of status quo granted by this Court shall remain operative till the decision by the High Court.

With the aforesaid observations and directions, these appeals stand allowed, impugned order(s) is set aside and the matters are remitted back to the Division Bench of the High Court for fresh consideration in accordance with law.

S.L.P.(C) No. 21308 of 2008:

Application for deletion of the respondents is allowed. No orders on the application for impleadment.

In view of the Order passed in S.L.P.(C) No. 11101 of 2006 and analogous cases, this special leave petition is also disposed of with liberty to the parties to take recourse to such other remedy as is available to them in law.

It is made clear that we have not expressed any opinion to the maintainability of the application for revocation of permission granted to the petitioner.

This special leave petition is disposed of with the aforesaid liberty.

.....J.
(CHANDRAMAULI KR. PRASAD)

.....J.
(JAGDISH SINGH KHEHAR)

New Delhi;
March 5, 2014

ITEM NO.301 COURT NO.9 SECTION XIIA
(Part-Heard)

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).11101/2006
(From the judgement and order dated 23/06/2006 in O.S.A. No.57/2004 of The
HIGH COURT OF A.P AT HYDERABAD)

VIJAYA SHREE Petitioner(s)

VERSUS

M/S GOLD STONE EXPORTS PVT. LTD. & ORS. Respondent(s)

(With appln(s) for directions, permission to file additional documents and
prayer for interim relief and office report)
(For Final Disposal)

WITH SLP(C) NO. 15028 of 2006
(With appln(s) for impleadment and with prayer for interim relief and
office report)
(For Final Disposal)

SLP(C) NO. 15699 of 2006

(With appln(s) for impleadment and substitution to bring on record LRs. of deceased respondent on record and impleadment and with prayer for interim relief and office report)
(For Final Disposal)

SLP(C) NO. 5349 of 2007

(With appln(s) for impleadment and substitution and c/delay in filing substitution appln. and permission to file additional documents and office report)
(For Final Disposal)

SLP(C) NO. 5350 of 2007

(With appln(s) for impleadment and office report)
(For Final Disposal)

SLP(C) NO. 21308 of 2008

(With appln(s) for revocation and directions and deletion of the name of respondent and permission to file additional documents and directions and impleadment and bringing on record additional documents)(For Final Disposal)

Date: 05/03/2014 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s) Mr. Arjun Krishnan, Adv.
SLP(C) 11101/06 Mr. Harsha Peechara, Adv.

SLP(C) No. 15028/06 Mr. Sushil K. Tekriwal, Adv.
& SLP(C) No. 15699/06 Mr. Venkateswara Rao Anumolu, Adv.
Dr. Mamta Tekriwal, Adv.

SLP(C) No. 5349/07 Mr. Ranjit Kumar, Sr. Adv.
Mr. M. Srinivas R. Rao, Adv.
Mr. K. Venkata Rao, Adv.
Ms. Sudha Gupta, Adv.

SLP(C) No. 5350/07 Mr. B. Adi Narayana Rao, Sr. Adv.
Mr. M. Srinivas R. Rao, Adv.
Ms. Sudha Gupta, Adv.

SLP(C) No. 21308/08 Mr. R. Basant, Sr. Adv.
Mr. G. Ramakrishna Prasad, Adv.
Mr. Bharat J. Joshi, Adv.
Mr. Suyodhan Byrapaneni, Adv.
Mr. Mohd. Wasay Khan, Adv.
Ms. Filza Moonis, Adv.
Mr. K. Venkata Rao, Adv.

For Respondent(s) Mr. H.P. Rawal, Sr. Adv.
SLP(C) 11101/06 Mr. Rupesh Kumar, Adv.
Mr. M.M. Krishnaniah, Adv.
Mr. Aditya Kumar, Adv.
Mr. Arbindo Mukherjee, Adv.
Ms. Divya Anand, Adv.

Ms. Bindi Girish Dave, Adv.

SLP(C) 11101/06 etc. Mr. Amarendra Sharan, Sr. Adv.
Mr. S.Udaya Kumar Sagar, Adv.
Ms. Bina Madhavan, Adv.
Ms. Praseena E. Joseph, Adv.
Mr. Shivendra Singh, Adv.
Mr. Rahul Pandey, Adv.

Ms. Akanksha Mehra, Adv.
Mr. Javedur Rahman, Adv.
for M/S. Lawyer'S Knit & Co, Adv.

Mrs.D. Bharathi Reddy ,Adv

Mr. Shobhit Gupta, Adv.

Ms. K.V. Bharathi Upadhyaya, Adv.

SLP(C) No. 21308/08

Mr. Sunder Vardhan, Sr. Adv.
Mr. P. Venkat Reddy, Adv.
Mr. Anil Kumar Tandale, Adv.

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

S.L.P. (C) Nos. 11101/2006, 15028/2006, 15699/2006, 5349/2007 and
5350/2007:

Delay condoned in filing the substitution applications.
Applications for substitution are allowed. Application for deletion
of the respondents is allowed. No orders on the applications for
impleadment.

Leave granted.

In terms of the signed order, these appeals stand allowed,
impugned order(s) is set aside and the matters are remitted back to
the Division Bench of the High Court for fresh consideration in
accordance with law.

S.L.P.(C) No. 21308 of 2008:

Application for deletion of the respondents is allowed. No
orders on the application for impleadment.

In view of the Order passed in S.L.P.(C) No. 11101 of 2006
and analogous cases, this special leave petition is also disposed of
with liberty to the parties to take recourse to such other remedy as
is available to them in law.

It is made clear that we have not expressed any opinion to
the maintainability of the application for revocation of permission
granted to the petitioner.

This special leave petition is disposed of with the
aforesaid liberty.

| (S.K. Rakheja)
| Court Master

| |(Indu Satija)
| |Assistant Registrar

(Signed order is placed on the file)