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ITEM NO.1C
(For Judgment)

COURT NO.4

SECTION IX

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 7434 OF 2008
(Arising out of SLP(C) No.17161/2006)

LALITABEN JAYANTILAL POPAT

Petitioner(s)

VERSUS

PRAGNABEN JAMNADAS KATARIA & ORS

Respondent(s)

Date: 19/12/2008 This matter was called on for pronouncement
of Judgment today.

For Petitioner(s)

Mr. Jay Savla,Adv.

For Respondent(s)

Ms. Sumita Hazarika,Adv.

UPON hearing counsel the Court made the following
ORDER

Hon'ble Mr. Justice S.B. Sinha pronounced the Judgment
of the Bench comprising of His Lordship and Hon'ble Mr. Justice
Cyriac Joseph.

Leave granted.

For the reasons mentioned in the signed judgment, the
impugned judgment cannot be sustained, it is set aside accordingly.
The appeal is allowed. However, in the facts and circumstances of
this case, there shall be no order as to costs.

(Sarita Purohit)
Sr.P.A.

(Pushap Lata Bhardwaj)
Court Master

(Reportable signed judgment is placed on the file)