

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S) .5776 OF 2015
(@SLP(C) NO. 27784 OF 2008)

KETAN A SHAH

...APPELLANT(S)

VERSUS

YASHWANT HIRALAL VEECUMSEE (D)
BY LRS.

...RESPONDENT(S)

O R D E R

Delay condoned.

Leave granted.

Respondent no. 2 has been reported dead on 23.05.2015 and I.A. No. 5, application for substitution for bringing on record the legal heirs of deceased respondent no. 2 has been filed. Accepting the reasons stated in the application, the application for substitution is allowed. Cause title be amended accordingly.

It is stated by learned counsel appearing for both the parties that the matter is settled between the parties in terms of the joint application filed by the parties under Section 151 of the Code of Civil Procedure on behalf of the appellant and the respondents along with Memorandum of settlement duly signed by the parties to the dispute along with Annexure to the

Memorandum of settlement and affidavits giving details of the amount payable to each of the partner in respect of C.S. No.547 and 577 of 1982, pending in the Madras High Court. It is made clear that Memorandum of Settlement shall form part of this order.

I.A. No. 6 is allowed and the appeal is disposed of in the aforesaid terms. However, it is open for the beneficiaries to the Memorandum of settlement to file application before the High Court seeking appropriate direction to withdraw the amount which is deposited in the High Court.

.....J.
(V. GOPALA GOWDA)

.....J.
(ADARSH KUMAR GOEL)

NEW DELHI,
JULY 28,2015

ITEM NO.5

IN COURT NO.4

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 27784/2008

(Arising out of impugned final judgment and order dated 24/01/2008 in
OSA No. 99/2000 passed by the High Court Of Madras)

KETAN A SHAH

Petitioner(s)

VERSUS

YASHWANT HIRALAL VEECUMSEE (D) BY LRS. & ORS

Respondent(s)

(with interim relief and office report)
(For final disposal)

WITH

I.A. Nos. 5 & 6 (Appln.(s) for substitution and joint compromise)

Date : 28/07/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s)

Mr. Rajinder Mathur, Adv.

For Respondent(s)

Mr. V. Balachandran, Adv.

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

Delay condoned.

Leave granted.

Respondent no. 2 has been reported dead on 23.05.2015 and
I.A. No. 5, application for substitution for bringing on record

the legal heirs of deceased respondent no. 2 has been filed. Accepting the reasons stated in the application, the application for substitution is allowed. Cause title be amended accordingly.

I.A. No. 6 is allowed and the appeal is disposed of in terms of the signed order.

(VINOD KR. JHA)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER

(Signed order is placed on the file)

(*No appearance slip has been given)