

ITEM NO.26

COURT NO.4

SECTION XV

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).23796-23797/2009

(From the judgement and order dated 20/08/2009 in SBCFA No. 263/2009 & SBCFA No. 266/2009 of The HIGH COURT OF RAJASTHAN AT JODHPUR)

HAJJAN DASSA & ORS. Petitioner(s)

VERSUS

MOHD. HAROON & ORS. Respondent(s)

(With appln(s) for exemption from filing O.T. and prayer for interim relief)

Date: 19/10/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Mr. M.R. Calla, Sr. Adv.
Mr. Mukul Kumar, Adv.
Ms. Charu Mathur, Adv.

For Respondent(s) Mr. Pallav Shishodia, Sr. Adv.
Ms. K.V. Bharathi Upadhyaya, Adv.

Mr. M.N. Rao, Sr. Adv.
Ms. Madhurima Tatia, Adv.
Ms. Rajdeepa, Adv.
Ms. K.V. Bharathi Upadhyaya, Adv.

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

Leave granted.

Appeals are allowed in terms of the signed order.

(Ravi P. Verma) (M.S. Negi)
Court Master Court Master
[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.6993-6994 OF 2009
[Arising out of SLP(C) Nos. 23796-23797/2009]

HAJJAN DASSA & ORS.APPELLANT(S)

Versus

MOHD. HAROON & ORS. ETC.RESPONDENT(S)

O R D E R

Leave granted. Heard the counsel.

We find from the order that on account of the strike of advocates, the appellants were neither represented nor heard before passing the impugned order. We are of the view that the interest of justice would be served if the impugned order is set aside and the matter is sent back to the High Court for fresh consideration and disposal.

Accordingly, we allow the appeals, set aside the order dated 20.8.2009 and remit the matter to the High Court with a request to hear all the parties and dispose of the matter in accordance with law. Status quo as on the date (20.8.2009) when the order was made by the High Court will continue till such disposal.

.....J.
(R.V. RAVEENDRAN)

New Delhi;
October 19, 2009.

.....J.
(G.S. SINGHVI)