

ITEM NO.3

COURT NO.3

SECTION XIV

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 (Civil) No(s).30752/2010

(From the judgement and order dated 31/08/2010 in CM No.930/2009  
of The HIGH COURT OF DELHI AT N. DELHI)

HIMALAYAN INST.HOSPITAL TRUST

Petitioner(s)

VERSUS

MOHIT KUMAR

Respondent(s)

(With appln(s) for permission to place addl. documents on record  
and prayer for interim relief and office report )

Date: 28/09/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Sanjeev Agarwal,Adv.  
Mr. Yunus Malik,Adv.  
Mr. Ekansh Agarwal,Adv.

For Respondent(s)

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

No ground is made for interference under  
Article 136 of the Constitution of India. The  
special leave petition is dismissed.

Learned counsel for the petitioner  
submits that the order of the High Court not  
only sets aside the order of the trial Court  
allowing the Amendment application but also set

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aside the order permitting the filing of  
documents. The High Court has allowed the writ  
petition on the ground that the amendment  
application could not have been allowed and  
consequently the subsequent orders are bad and  
High Court has also stated that suit shall be

restored to the stage prior to 28.11.2007.

Therefore, it would be open to the petitioner to file the documents on which he relies upon once again and seek the appropriate order for condonation etc.

It is made clear that in deciding the matter or passing any further order, the trial Court will do so on merits without being influenced by the observations of the High Court.

(O.P. Sharma)  
Court Master

( M.S. Negi )  
Court Master