

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 1830-1831/2010
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 23/09/2005
IN SA NO. 36/1993 AND 13/02/2009 IN MCC NO. 323/2008 PASSED BY THE
HIGH COURT OF M.P AT GWALIOR)

STATE OF M.P. Petitione
r(s)

VERSUS

LAXMAN RAO LAD(D) TR.LRS.& ORS. Responde
t(s)
(WITH INTERIM RELIEF AND OFFICE REPORT)
(FOR FINAL DISPOSAL)

Date : 26/08/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Mr. Sunny Choudhary, Adv.
Mr. Ankit Lal, Adv.
Mr. Mishra Saurabh ,Adv.

For Respondent(s) Mr. Sushil Kumar Jain, Sr. Adv.
Mr. Abhinav Gupta, Adv.
Mr. Manu Maheshwari, Adv.
Ms. Pratibha Jain, Adv.

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

The order of the High Court of Madhya Pradesh Bench
at Gwalior in the Second Appeal under challenge
is in reversal of the findings recorded by the two courts below.
An application for review of the said order
was filed before the High Court on the ground that the
revenue records on the strength of which the responden
ts had claimed their rights were forged. Not only the
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Vinod Lakhina
Date: 2014.08.28

revenue
10:01:54 IST
Reason:

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records were all along in the custody and possession of the
petitioner - State but the review application was delayed
by 898 days. In the application seeking condonation of
delay there is not even a whisper to the effect that these
documents came to the knowledge of the petitioner - State
on a later date.

The special leave petitions were also barred by 1404
days though the same has been condoned. The entire basis
of the arguments on behalf of the petitioner - State is
with regard to the authenticity of the revenue records, an
issue which was not raised at any earlier stage. The
documents sought to be adduced in support of the said
assertion were brought on record for the first time along
with the review petition.

For the aforesaid reasons, we do not consider it
appropriate to entertain the special leave petitions. They
are accordingly dismissed.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER