

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).28363/2008

(From the judgement and order dated 18/11/2008 in SCA No. 9560/2008
& CA No. 13062/2008 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

KHATIJA F.PUNAWALA & ORS.

Petitioner(s)

VERSUS

ABDUL JABBAR A.SHAIKH & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 10/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s)

Mr. D.N. Ray, Adv.
Mr. Lokesh K. Choudhary, Adv.
Mrs. Sumita Ray, Adv.

For Respondent(s)

Mr. Ranjith K.C., Adv.

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

On behalf of the respondent No.1,
Abdul Jabbar A.Shaikh, who is the plaintiff in
Special Civil Suit No.481 of 2009, filed before
the Civil Judge, Senior Division and Judicial
Magistrate, First Class, Vadodra, a submission has

been made that the said suit has been withdrawn.

It has also been submitted that on the refusal of

the learned trial judge to allow an impleadment

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application, a writ petition was filed before the

High Court, which is still pending.

The Special

Leave Petition is an extension of the order passed

by the High Court granting injunction, although,

the same was not prayed for.

Whatever be the factual position of the matter pending before the High Court, with the withdrawal of the suit, both the proceedings before the High Court as well as this Court have become infructuous. Accordingly, we dispose of the Special Leave Petition by recording that the same has become infructuous and we also direct that the writ petition before the High Court shall also stand disposed of as having become infructuous.

There will be no orders as to costs.

(Sheetal Dhingra)
Court Master

(Juginder Kaur)
Court Master