

ITEM NO.40

COURT NO.3

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). 433/2009
(Arising out of impugned final judgment and order dated 09/09/2008
in OSA No. 318/2006 passed by the High Court Of Madras)

DAYANAND P.SESHAN

Petitioner(s)

VERSUS

M. DHANASEKARAN (DEAD) BY LRS. & ANR.
(With interim relief and office report)
(For final disposal)

Respondent(s)

Date : 12/02/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR
HON'BLE MR. JUSTICE C. NAGAPPAN

For Petitioner(s) Mr. R. Anand Padmanabhan,Adv.
Mr. Romil Pathak,Adv.
Mr. Anand Sharma,Adv.
Mr. Pramod Dayal,Adv.

For Respondent(s) Mr. Nikhil Nayyar,Adv.
Mr. Gautam Narayan,Adv.
Mr. T. Sen,Adv.

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

Heard learned counsel for the parties.

The impugned order is in the nature of an interim order, which was granted by the High Court on the original side. We are informed by the learned counsel for the rival parties, that evidence in the suit has been recorded, and that the suit is ripe for final disposal.

Having given our thoughtful consideration, to the issue in hand, we are of the view that the interim order

should not be interfered with at this stage. In case evidence has not been completed, the same should be completed within a period of two months from the date a certified copy of this order is placed before the Trial Court. Thereupon, the suit should be disposed of finally within a further period of two months.

The special leave petition is accordingly disposed of in terms of the above directions. The observations made by the High Court, while granting the interim order, shall not prejudice the determination of the suit at the hands of the Trial Court.

All issues agitated by the rival parties, are left open.

(Madhu Bala)
Court Master

(Renuka Sadana)
Court Master