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ITEM NO.40

COURT NO.3

SECTION XI

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).11951/2013

(From the judgement and order dated 06/12/2012 in CMA No.97787/2012 in SA No.111/1991 of The HIGH COURT OF JUDICATURE AT ALLAHABAD, BENCH AT LUCKNOW)

BITTI @ PYARI

Petitioner(s)

VERSUS

HARI RAM & ANR.

Respondent(s)

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

Date: 08/04/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR JUSTICE KURIAN JOSEPH

For Petitioner(s)

Mr. Ardhendumauli Kumar Prasad, Adv.
Mr. Aviral Shukla, Adv.
Mr. Nirmal Kumar Ambastha, Adv.

For Respondent(s)

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

We have heard Shri Ardhendumauli Kumar Prasad, learned counsel for the petitioner and perused the record.

We are, prima facie, satisfied that the learned Single Judge of the Allahabad High Court, Lucknow Bench was not at all justified in entertaining and allowing the application for restoration filed by the respondents, which was fifth in the series.

Issue notice to the respondents, returnable in eight weeks, to show cause as to why leave may not be granted, the impugned order may not be set aside and the second appeal filed by the respondents be dismissed. Dasti, in addition, is permitted.

A copy of this order be served upon the respondents along with the notice.

| (Parveen Kr.Chawla)

| Court Master

| | (Phoolan Wati Arora)

| | Court Master