

**IN THE SUPREME COURT OF INDIA**

**CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO(S). 9939 OF 2018  
[ARISING OUT OF SPECIAL LEAVE PETITION (CIVIL)  
NO(S). 6667/2018]**

**ANIL KUMAR VAIKUTHAL PATEL (DEAD)  
THROUGH LRS. ...APPELLANT(S)**

**VERSUS**

**O.L. OF A'BADJUBILI SPINNING AND  
MFG. MILLS CO. & ORS. ...RESPONDENT(S)**

**ORDER**

1. Leave granted.
2. We have heard the learned counsels for the parties.
3. Having considered the matter we are of the view that the Hon'ble Judges who have passed the impugned order and recused themselves from hearing should hear and decide the matter at the earliest. We order accordingly.
4. We are told at the Bar that the Hon'ble Judges have already heard the matter and the same has been reserved for pronouncement.

5. If the Hon'ble Judges feel the necessity of further hearing, such further hearing will also be undertaken. We further record that in the facts of the case we do not consider it necessary or prudent to record our reasons for the view taken.

6. Consequently and in the light of the above, the order of the High Court is set aside and the appeal is allowed in the above terms.

....., J.  
(RANJAN GOGOI)

....., J.  
(NAVIN SINHA)

....., J.  
(K.M. JOSEPH)

NEW DELHI  
SEPTEMBER 25, 2018

ITEM NO.6

COURT NO.2

SECTION III

**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 (C) NO(S). 6667/2018**  
**(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 16-02-2018**  
**IN OJA NO. 1/2003 PASSED BY THE HIGH COURT OF GUJARAT AT AHMEDABAD)**

**ANIL KUMAR VAIKUTHLAL PATEL (DEAD) THROUGH LRS PETITIONER(S)**

**VERSUS**

**O.L. OF A'BADJUBILI SPINNING AND MFG MILLS CO.**  
**& ORS.**

**RESPONDENT(S)**

**Date : 25-09-2018 This petition was called on for hearing today.**

**CORAM :**

**HON'BLE MR. JUSTICE RANJAN GOGOI**  
**HON'BLE MR. JUSTICE NAVIN SINHA**  
**HON'BLE MR. JUSTICE K.M. JOSEPH**

**For Petitioner(s)**

**Ms. Meenakshi Arora, Sr. Adv.**  
**Mr. M.I. Hava, Adv.**  
**Mr. Mohit D. Ram, AOR**  
**Ms. Monisha Handa, Adv.**

**For Respondent(s)**

**Mr. Shiv Sagar Tiwari, AOR**

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

**Leave granted.**

**The appeal is allowed in terms of the signed order.**

**[VINOD LAKHINA]**

**AR-cum-PS**

**[ASHA SONI]**

**ASSISTANT REGISTRAR**

**[SIGNED ORDER IS PLACED ON THE FILE]**