

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 for Special Leave to Appeal (C) No(s).....of 2017
Diary No(s). 15979/2017

(Arising out of impugned final judgment and order dated 19-01-2017
in SA No. 478/2015 passed by the High Court Of Judicature At Bombay
At Nagpur)

PUSHPA

Petitioner(s)

VERSUS

SUDHA

Respondent(s)

(IA No.88203/2017-CONDONATION OF DELAY IN FILING and
IA No.88204/2017-EXEMPTION FROM FILING O.T. and
IA No.88205/2017-CONDONATION OF DELAY IN REFILING)

Date : 22-09-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Kishor Lambat,Adv.
Mr. Sachin Pahwa,Adv.
Mr. R.P. Pagare,Adv.
For M/s. Lambat And Associates

For Respondent(s)

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

We have heard learned counsel for the petitioner.

Delay condoned.

We find that the question whether the suit was within
limitation, raised by the petitioner before the High Court has
not been considered. Accordingly, we are of the view that the
said question needs to be considered by the High Court.

We permit the petitioner to move the High Court and if
such an application is made, the High Court may consider the
above question on merits in accordance with law.

The special leave petition is accordingly disposed of.

Pending applications, if any, shall also stand disposed
of.

(MAHABIR SINGH)
COURT MASTER

(PARVEEN KUMARI PASRICHA)
COURT MASTER