

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).6418 OF 2017  
(Arising out of SLP(C) No.30709 of 2015)

THE DEFENCE ESTATE OFFICER                      ...APPELLANT(S)

VERSUS

BANDARI MALLESH & ANR.                              ...RESPONDENT(S)

O R D E R

1.            Leave granted.
2.            We have heard the learned counsels for the parties.
3.            Civil Revision Petition No.3810 of 2014 filed by the appellant before the High Court has been dismissed for non-prosecution by order dated 06.03.2015. The application/petition under Order IX Rule 9 of the Code of Civil Procedure for restoration has been dismissed by the impugned order dated 12.06.2015. Aggrieved, this appeal has been filed.
4.            We have considered the matter.
5.            Having regard to the question of law raised in the Civil Revision Petition, we are of the view that the appellant should be heard on merits. We, accordingly, set aside the order of the High Court and restore the Civil Revision

Petition pending before the High Court for an adjudication on merits with a request to the High Court to decide the Civil Revision Petition as expeditiously as possible, preferably within a period of six months from the date of receipt of this Order.

6. Consequently, the appeal is allowed in the above terms.

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

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

NEW DELHI  
MAY 08, 2017

ITEM NO.45

COURT NO.4

SECTION XIIA

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).30709/2015

(Arising out of impugned final judgment and order dated 12/06/2015 in CRPMP No. 2083/2015 in CRP No. 3810/2014 passed by the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh)

THE DEFENCE ESTATE OFFICER

Petitioner(s)

VERSUS

BANDARI MALLESH &amp; ANR.

Respondent(s)

(With appln. (s) for c/delay in filing substitution appln., early hearing, direction with affidavit, stay/direction, substitution, interim relief and office report)

Date : 08/05/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI  
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. R. Balasubramaniam, Adv.  
Ms. Sunita Sharma, Adv.  
Ms. Sadhana Sandhu, Adv.  
Mr. Prabhas Bajaj, Adv.  
Mr. Rohit Rathi, Adv.  
Mr. Akshay Amritansha, Adv.  
Mr. Mukesh Kumar Maroria, Adv.

For Respondent(s) Mr. K. Sita Rama Rao, Adv.  
Mr. K. Srinivas Rao, Adv.  
Mr. Rahul Singh, Adv.  
Mr. Shree Pal Singh, Adv.

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

Delay in filing application for substitution  
is condoned.

Application for substitution is allowed.

Leave granted.

The appeal is allowed in terms of the signed order.

(Neetu Khajuria)  
Court Master

(Asha Soni)  
Court Master

(Signed order is placed on the file.)