

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 10845-10846 OF 2010

MURARI LAL SHARMA (D) THR. LRS Appellant(s)

VERSUS

JAGDISH CHANDRA & ORS. Respondent(s)

WITH

MISC. APPLICATION NO. 636 OF 2020

IN

CIVIL APPEAL NO. 10848 OF 2010

O R D E R

CIVIL APPEAL NOS. 10845-10846 OF 2010

Heard the learned counsel appearing for the parties at some length.

We do not find any error in the impugned order passed by the High Court, which is equitable in nature.

The Civil Appeals are, accordingly, dismissed.

However, the appellants, the legal heirs of the deceased - Murari Lal Sharma, are at liberty to withdraw the amount deposited by the respondents from the Collector's office. The Collector shall expeditiously return the amount with accrued interest, if any.

Pending interlocutory application(s), if any, is/are disposed of.

MISC. APPLICATION NO. 636 OF 2020 IN CIVIL APPEAL NO. 10848 OF 2010

Delay in filing the application for restoration is condoned and the appeal is restored to its original number.

Misc. Application is disposed of.

Application for setting aside abatement is allowed.

Delay in filing the application for substitution is condoned and the application for substitution is allowed.

Heard the learned counsel appearing for the parties at some length.

In view of the order passed in Civil Appeal Nos. 10845-10846 of 2010 above, this civil appeal is also dismissed.

Pending interlocutory application(s), if any, is/are disposed of.

.....J.
[HEMANT GUPTA]

.....J.
[V. RAMASUBRAMANIAN]

New Delhi;
OCTOBER 07, 2021.

ITEM NO.102

COURT NO.11

SECTION X

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

Civil Appeal No(s). 10845-10846/2010

MURARI LAL SHARMA (D) THR. LRS

Appellant(s)

VERSUS

JAGDISH CHANDRA . & ORS.

Respondent(s)

(I.A. NO.29096 OF 2018 (DISCHARGE OF ADVOCATE) IN M.A. NOS. 768-69 OF 2018)

WITH

MA 636/2020 in C.A. No. 10848/2010 (X)

(FOR ADMISSION and IA No.3538/2020-APPLICATION FOR SUBSTITUTION and IA No.28104/2020-SETTING ASIDE AN ABATEMENT and IA No.25799/2020-EXEMPTION FROM FILING O.T. and IA No.191602/2019-RESTORATION and IA No.3541/2020-CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. and IA No.3536/2020-CONDONATION OF DELAY IN FILING APPLICATION FOR RESTORATION and IA No.25798/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 07-10-2021 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Appellant(s) Mr. Jitendra Mohan Sharma, Sr. Adv.
Mr. Ajit Sharma, AOR
(Appearance not given)

Mr. Chira Ranjan Addy, AOR

For Respondent(s) Ms. Ruchira Gupta, Adv.
Mr. Shishir Deshpande, AOR
Mr. Anurag Sharma, Adv.

Mr. Jatinder Kumar Bhatia, AOR

Mr. Shiv Ram Sharma, AOR

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

Civil Appeal No(s). 10845-10846/2010

Application seeking discharge of Advocate is allowed.

The Civil Appeals are dismissed in terms of the signed order.
Pending interlocutory application(s), if any, is/are disposed of.

MA 636/2020 in C.A. No. 10848/2010

Delay in filing the application for restoration is condoned and the appeal is restored to its original number.

Misc. Application is disposed of.

Application for setting aside abatement is allowed.

Delay in filing the application for substitution is condoned and the application for substitution is allowed.

Heard the learned counsel appearing for the parties at some length.

In view of the order passed in Civil Appeal Nos. 10845-10846 of 2010 above, this civil appeal is also dismissed.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU BALA GAMBHIR)
COURT MASTER

(Signed order is placed on the file)