

ITEM NO.28

COURT NO.7

SECTION III

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 SSPECIAL LEAVE PETITION (CIVIL) Diary No(s). 5112/2019

(Arising out of impugned final judgment and order dated 29-10-2018 in SCA No.16757/2018 passed by the High Court of Gujarat at Ahmedabad)

LEGAL HEIRS OF DECEASED GEMARJI
GALAJI KOLI & ORS.

PETITIONER(S)

VERSUS

KOLI JAGSHIJI MALAJI & ORS.

RESPONDENT(S)

(FOR ADMISSION and I.R. and IA No.28617/2019-CONDONATION OF DELAY IN FILING and IA No.28619/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.28622/2019-EXEMPTION FROM FILING O.T.)

Date : 22-02-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s)

Mr.Santosh Krishnan, Adv.
Mr.Nikhil Goel, Adv.
Ms.Naveen Goel, Adv.
Mr.Ashutosh Ghade, Adv.

For Respondent(s)

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

Delay condoned.

We are not inclined to interfere with the impugned order passed by the High Court.

The special leave petition is accordingly dismissed.

It is noted that the civil suit out of which this special leave petition arises is pending for last more than 23 years if not more. It has caused concern to us. The civil suit by this time should have been decided on merits.

Be that as it may, we direct the concerned trial court to decide the suit on day to day basis and dispose it of within a period of three months from today from the date of submission of certified copy of this order. Let it be done within one week.

We, however, make it clear that the parties shall not be allowed to indulge into any dialectic tactics and no adjournment shall be granted to any party to enable the trial court to dispose of the suit as directed within a period of three months.

Pending applications, if any, stand disposed of.

(Ashok Raj Singh)
Court Master

(Chander Bala)
Court Master