

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3736 OF 2001

DHONDE BAJIRAO BALU & ORS.

....Appellants

VERSUS

NANDKUMAR SHRIRANG JADHAV & ORS.

....Respondents

ORDER

It is an admitted position that the present appellants were not made parties to Writ Petition No.484/2000 although they were affected by the impugned judgment of the High Court. Therefore, impugned judgment of the High Court needs to be set aside merely on the said ground. The question of maintainability of the writ petition was also to be considered by the High Court.

In that view of the matter, keeping all question open, we set aside the impugned judgment of the High Court and send the matter back to it for a fresh consideration and decision after making the present appellants as parties to the writ petition. The High Court is requested to decide the writ petition after hearing the parties including present appellants within a period of six months from this date, without granting any unnecessary adjournment to either of the parties.

The Civil Appeal is accordingly disposed of with no order as to costs.

.....J.
(TARUN CHATTERJEE)

.....J.
(V.S. SIRPURKAR)

NEW DELHI,
JANUARY 21, 2009.
ITEM NO.103

COURT NO.6

SECTION XV

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 3736 OF 2001

DHONDE BAJIRAO BALU & ORS.

Appellant (s)

VERSUS

NANDKUMAR SHRIRANG JADHAV & ORS.

Respondent(s)

(With office report)

Date: 21/01/2009 This Appeal was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Appellant(s) Mr. V.A. Mohta, Sr.Adv.
Mr. C.G. Solshe,Adv.

For Respondent(s) Mr. Braj K. Mishra, Adv.

Mr. Abhisek Yadav, Adv.
Mr. Vishwajit Singh, Adv.

Mr. Ashok Kumar Gupta ,Adv

UPON hearing counsel the Court made the following
ORDER

The Civil Appeal is disposed of with no order as to costs,
in terms of signed order placed on the file.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed Order is placed on the file)