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)   (Phoolan Wati Arora)
      Court Master   Court Master

                 (Signed Order is placed on the file)