

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.1381-1384 OF 2017

[ARISING FROM SPECIAL LEAVE PETITION (C) NOS.3988-3991/2017]

[ARISING FROM CC NOS.2119-2120/2017]

MEERUT KENDRIYA THOK UPBHOKTA SAHAKARI BANDAR APPELLANT(S)

VERSUS

VAKIL CHAND JAIN AND ORS ETC.ETC. RESPONDENT(S)

J U D G M E N T

KURIAN, J.

Delay condoned.

2. Issue notice.

3. Mr. Anupam Lal Das, learned counsel, appears and accepts notice for the respondents.

4. Leave granted.

5. The appellant is aggrieved by the orders dated 13.01.2017 passed by the High Court dismissing the applications for condonation of delay in filing the review petitions as well as consequential dismissal of the review petitions.

6. The appellants had come up before this Court on an earlier occasion and by order dated 5.8.2016, in SLP(C) Nos.18912-18913/2016, liberty was granted to the appellants to file a review petition before the High Court against the judgment dated 17.3.2016 in Civil Misc. Writ Petition No.29268/1992 and 31913/1997.

7. It is seen from the order dated 13.01.2017 passed by the High Court that the applications were dismissed for want of prosecution. We have gone through the applications for condonation of delay, it is fairly clear that the main part of the delay is on account of the prosecution of the special leave petition before this Court in the earlier round.

8. Therefore, in order to avoid further round of litigation on restoration and the condonation of delay, we set aside the order of dismissal for default of the applications for condonation of the delay. The said applications are restored and the delay in filing the review petitions before the High Court is condoned, we request the High Court to dispose of the review petitions on merits. In order to enable the High Court to do so, the impugned orders passed by the High Court in the review petitions are also set aside. Since it is a long pending matter, we request the High Court to dispose of the review petitions expeditiously and preferably within a period of one month from the date of production of a copy of this order by either side before the High Court.

9. We record the submission made by the learned counsel for the parties that they will cooperate with the High Court for disposal of the review petitions and will not ask for any adjournment when the matters are posted before the High Court.

10. Status quo, as on today, shall be maintained till the review petitions are disposed of.

11. The appeals are, accordingly, disposed of.

12. We make it clear that we have not expressed anything on the merits of the matters.

13. Pending application(s), if any, shall stand disposed of.

14. There shall be no orders as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[A.M. KHANWILKAR]

NEW DELHI;
FEBRUARY 03, 2017.



JUDGMENT