

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6911 OF 2012
(Arising out of SLP(C) No.30717/2008)

SUSHIL CHHIBBER & ANR. Appellant(s)
:VERSUS:
SHASHI KUMAR MEHTA & ANR. Respondent(s)

O R D E R

1. Leave granted.
2. We have heard the learned counsel for the parties.
3. We are of the considered opinion that in the facts and circumstances of this case, the application filed by the appellant herein for restoration of Regular Second Appeal No 119/1996 ought to have been allowed by the High Court. In this view of the matter, the impugned order passed by the High Court on 29th September, 2008 in C.M. No.14139/2007 and CM No.14140/2007 in RSA No.119/1996 is set aside and the aforesaid Regular Second Appeal is restored to its original number.

4. In view of the fact that this litigation between the family members is pending for a long time, it would be in the interest of justice if the Regular Second Appeal is decided as expeditiously as possible. We, therefore, request High Court to expedite the hearing of the aforesaid Regular Second Appeal and dispose of the same as expeditiously as possible, preferably within a period of six months from today.

5. With the aforementioned observation and direction, this appeal is disposed of.

.....J
(SURINDER SINGH NIJJAR)

.....J
(H.L. GOKHALE)

New Delhi;
September 19, 2012.