

PETITIONER:
AMITA KAUSHISH & ORS.

Vs.

RESPONDENT:
SANJAY KAUSHISH & ORS.

DATE OF JUDGMENT 16/11/1995

BENCH:
RAMASWAMY, K.
BENCH:
RAMASWAMY, K.
HANSARIA B.L. (J)

CITATION:
1996 SCC (7) 19 JT 1995 (8) 507
1995 SCALE (6) 617

ACT:

HEADNOTE:

JUDGMENT:

O R D E R

Leave granted.

The impugned order is only a direction to list the appeal FAO (OS) No. 221/91 filed by the appellants for disposal pending in the High Court. The Division Bench by its order dated July 12, 1994 directed to list the appeal for final hearing on October 17, 1994 within first five cases. It would appear that there is long drawn litigation inter se parties. Since the time fixed by the High Court is already over and the appeal is yet to be disposed of, we request the High Court to appropriately fix an early date for disposal, preferably before the end of this year.

The learned counsel for the respondents stated that on account of the stay of the suit, his clients are prevented to take any direction or order by way of interlocutory application. The stay of the trial of the suit does not preclude the respondents to seek such appropriate interlocutory reliefs as may be available and warranted in the facts and circumstances.

The appeal is accordingly disposed of. No costs.