

CASE NO.:
Appeal (civil) 1257 of 2008

PETITIONER:
NANDKISHORE LALBHAI MEHTA

RESPONDENT:
NEW ERA ABRICS P.LTD. & ANR

DATE OF JUDGMENT: 11/02/2008

BENCH:
Dr. ARIJIT PASAYAT & P.SATHASIVAM

JUDGMENT:
JUDGMENT
O R D E R

CIVIL APPEAL No. 1257 OF 2008
(Arising out of SLP(C) No. 19725 of 2006)
WITH CIVIL APPEAL NO...../2008 @ SLP (C) NO. 19879/2006)

Heard learned counsel for the parties.
Leave granted.

Challenge in this appeal is to the interim order dated 19th September, 2006 passed in Appeal No. 245/2006 which is stated to be pending before the Bombay High Court. Considering the limited nature of the controversy, we request the High Court to dispose of the appeal within a period of three months from today. The parties agree that they shall bring to the notice of the High Court today's order. The order of status quo passed by this Court on 08.12.2006 shall continue till the disposal of the appeal by the High Court. We make it clear that

by giving this protection, it shall not be construed as if we have expressed any opinion on the merits of the appeal which shall be heard by the High Court. It is stated that cross objection has also been filed. The same shall be taken up for disposal on merits. It is stated that plea of non maintainability is raised by some of the parties. Needless to say that plea shall be duly considered.

The appeals are accordingly disposed of.