

&
W.P(C)No. 13 OF 1998
ITEM No.35

Court No. 1

SECTION PIL
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(Civil) No.13/1998@@
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JOHN MOYONG & ANR

Petitioner (s)

VERSUS

U.O.I. & ANR
(With Office Report)

Respondent (s)

Date : 09/12/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner (s) Mr. M.L. Varma, Sr.Adv.
Mr. S.C. Birla,Adv.
Mr. Subrat Birla, Adv.

For Respondent (s) Mr. Raju Ramachandran, ASG
UOI Mr. Prateek Jalan, Adv.
Ms. Sushma Suri, Adv.
Mr. P. Parmeswaran,Adv.

State of Arunachal Pradesh Mr. Anil Shrivastav,Adv.
Mr. P.H. Parekh,Adv.
Mr. Lalit Chauhan, Adv.

UPON hearing counsel the Court made the following
O R D E R

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Heard learned counsel for the parties for 10 minutes.

The writ petition is dismissed in terms of the signed order.

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Sarita (Suneet Bala Sharma) @@
AA
Assistant Registrar @@
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(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. 13 OF 1998@@
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JOHN MOYONG & ANR.PETITIONERS

VERSUS

U.O.I. & ANR.RESPONDENTS

O R D E R@@
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This is a petition under Article 32 challenging the correctness of the judgment of this Court dated 9th January, 1996 in Writ Petition (C) 720/1995.

In view of the Constitution Bench decision in the case of Rupa Ashok Hurra -vs.- Ashok Hurra & Anr.@@
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(Writ Petition (C) No.509/1997) a petition under Article 32 is not maintainable and the only remedy available to the petitioner is to file a curative petition within the parameters specified therein.

In this view of the matter, the present writ petition is dismissed. It is open to the petitioner, if so advised, to file curative petition.

.SP1

.....CJI.

New Delhi,
December 9, 2002.

.....J.
(K.G. BALAKRISHNAN)