

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).2341/2007

(From the judgement and order dated 09/10/2006 in LPA No. 202/2006
of The HIGH COURT OF BOMBAY AT NAGPUR BENCH)

MAHARASHTRA HOUSING & AREA DEV.AUTH.&ANR Petitioner(s)

VERSUS

MAHADEO GAMBHIRA INGOLE & ORS. Respondent(s)

(With prayer for interim relief and office report)

Date: 07/12/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s) Mr.M.L.Varma, Sr. Adv.
Mr. Dattatray Vyas, Adv.for
Mr.Chirag M.Shroff,Adv.

For Respondent(s) Ms. Asha Gopalan Nair,Adv.
Ms.Anagha S.Desai, Adv.for
Mr. Venkateswara Rao Anumolu ,Adv

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

Leave granted.

The Appeal is allowed in terms of the signed order.
No costs.

(Parveen Kr. Chawla) (Indu Satija)
Court Master Court Master

[signed Order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8137 OF 2009
(Arising from SLP(C)No.2341/2007)

Maharashtra Housing & Area ..Appellants
Development Authority & Another

versus

Mahadeo Gambhira Ingole & Others ..Respondents

O R D E R

Leave granted.

Heard learned counsel for the parties.

This appeal has been filed against the impugned judgment of the Division Bench of the Bombay High court, Nagpur Bench dated 09th October, 2006.

We have perused the said order and we find that the Division Bench of the High Court has not given any proper reasons in the said order for affirming the order of the learned Single Judge.

It is well settled that even an order of affirmance must give some reasons.

Accordingly, we allow this appeal, set aside the impugned order of the Division Bench of the High Court and remand the matter to the Division Bench of the High Court to decide it afresh expeditiously in accordance with law

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after hearing the concerned parties and after giving proper reasons. No costs.

.....J.
[MARKANDEY KATJU]

NEW DELHI;
DECEMBER 07, 2009.

.....J.
[R.M. LODHA]