

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.1176 OF 2009
(Arising out of S.L.P.(C) No.5227/2007)

Vijay Narain Rai (Dead) by Lrs. ...Appellant(s)

Versus

Committee of Management & Ors. ...Respondent(s)

WITH

CIVIL APPEAL NO. 1177 OF 2009
(Arising out of S.L.P.(C) No.6061/2007)

ORDER

Application for substitution is allowed.

Leave granted.

The impugned judgment dated 11th September, 2006 in Special

Appeal No.1022/2006 reads as under:

"We are in respectful agreement with the reasoning given and the order passed by Hon'ble Mr. Justice Vineet Saran on the 3rd of August, 2006.

The appeal is dismissed."

In this case, it appears that the Division Bench has disposed of the Appeal at the admission stage. No reasons have been given. There is no detailed analysis of the grounds of appeal.

In the circumstances, the impugned order is a cryptic order. We set aside the same. Consequently, we restore

...2/-

-2-

Special Appeal No.1022/2006 on the file of the Allahabad High Court, to be decided in accordance with law.

Civil Appeals are disposed of with no order as to costs.

.....J.
(S.H. KAPADIA)

.....J.
(AFTAB ALAM)

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).5227/2007

(From the judgement and order dated 11/09/2006 in SA No.1022/2006
of the HIGH COURT OF JUDICATURE AT ALLAHABAD)

VIJAY NARAIN RAI(DEAD) BY LRS.

Petitioner(s)

VERSUS

COMMITTEE OF MANAGEMENT & ORS.

Respondent(s)

(With appln(s) for substitution of deceased petitioner and office report)

WITH S.L.P.(C) NO. 6061 of 2007

(With office report)

Date: 23/02/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Ms. Anuradha Chakrabarty, Adv.

For Respondent(s)

Mr. Samir Ali Khan, Adv.

Mr. Shrish Kumar Misra, Adv.

Mr. Ajay Kumar Misra, Sr.Adv.

Mr. Anuradha Dubey Mishra, Adv.

Mr. Vikram, Adv.

Mr. Bharat Dubey, Adv.

Mr. P. Narasimhan, Adv.

Mr. Aftab Ali Khan, Adv.

UPON hearing counsel the Court made the following
ORDER

Application for substitution is allowed.

Leave granted.

Civil Appeals are disposed of in terms of the signed order with no
order as to costs.

(N. ANNAPURNA)

COURT MASTER

(MADHU SAXENA)

COURT MASTER

(Signed order is placed on the file)