

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).2720/2004

(From the judgment and order dated 14/11/2003 in CMA 1874/2003 IN  
SAN No. 985/1982 of The HIGH COURT OF ALLAHABAD, LUCKNOW BENCH)

RAM KUMAR & ANR.

Petitioner(s)

VERSUS

RAM PYARI

Respondent(s)

(With appln(s) for c/delay in filing rejoinder & prayer for interim relief)

Date: 14/11/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN KUMAR

HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner(s) Mr. Anurag Kishore, Adv.

Mr. Rajesh Kumar, Adv.

For Respondent(s) Ms. Sandhya Goswami, Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

We have heard learned counsel for the parties.

In the facts and circumstances of the case, we are of the view that the ma

tter ought to

have been decided on merits. Accordingly, the impugned order refusing to restore the appeal is

hereby set aside. The Second Appeal is restored to its file with a direction to the High Court to

decide the same on merits at an early date, preferably within six months.

The Special Leave Petition is disposed of accordingly.

(S. Thapar)

(Phoolan Wati Arora)

PS to Registrar

Court Master