

SLP(C)No. 7353-7354 OF 2000

ITEM No.33

Court No. 6

SECTION IVB
A/N MATTER

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.7353-7354/2000

(From the judgement and order dated 14/10/1998 in RA FAO 1950/98
and dated 23/07/1999 in Review Appln. No. 40-CII-99 in FAO 1950/98
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

NARESH KUMAR

Petitioner (s)

VERSUS

RAM NIWAS & ORS.

Respondent (s)

(With Appln(s). for c/delay in filing SLP)

Date : 19/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE N. SANTOSH HEGDE

For Petitioner (s) Mr. RK Kapoor,Adv.
Mr. SK Srivastava,Adv.
Mr. Sumit Kumar,Adv.
Mr. P. Varma,Adv.
Mr. Anis Ahmed Khan,Adv.

For Respondent (s) Mr. P.K. Seth,Adv.
(Oriental Insurance Mr. Sudhir Kumar Gupta,Adv.
Co.) Ms. Sheetal Sharma,Adv.
Mr. S. Chakraborty,Adv.

For Respondents Dr. G.S. Sangwan,Adv.
1-3 Mrs. Santosh Singh,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....J.
.SP2

Delay condoned.
Leave granted.
The appeals are allowed. There shall be no order
as to costs.

.SP1

(Neelam Kawatra)
Court Master

(S. Krishnan)
Court Master

Signed order is placed on the file.

.....L.....I.....T.....T.....T.....T.....T.....T.....J.
.PL55

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.730-731 OF 2001@@
EEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEEE
(Arising out of S.L.P.(C)Nos.7353-7354/2000)

Naresh Kumar

Appellant (s)

versus

Ram Niwas & Ors.

Respondent (s)

O R D E R@@
CCCCCCCC

.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

Delay condoned.
Leave granted.

By the impugned order, the High Court dismissed the First Appeal filed by the appellant by merely saying 'dismissed'. This Court has repeatedly held that the High Court while dismissing the First Appeal is required to give reasons. In view of the fact that no reason is recorded, we set aside the judgment under challenge and send the case back to the High Court for deciding the appeal on merits.

The appeals are allowed. There shall be no order as to costs.

.SP1

.....J
(V.N. Khare)

New Delhi,
January 19, 2001.

.....J
(N. Santosh Hegde)