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SLP(C)No. 2022 OF 2001

ITEM No.205

Court No. 2

SECTION IX
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.2022/2001

(From the judgement and order dated 20/11/2000 in WP 5815/2000
of The HIGH COURT OF BOMBAY)

NEETA KANTILAL NAGDA

Petitioner (s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent (s)

(With prayer for interim relief and office report)
(With Appln(s). for exemption from filing c/c of the impugned Judgment)
(For Final Disposal)

With S.L.P. (C) No.11278/2001 - With Office Report

Date : 24/08/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA
HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mr. A.P. Mayee,Adv.
& Resp. In SLP (C) Mr. S.V. Tambwekar,Adv.
11278/2001:

For Respondent (s)
& Petnr. in SLP (C) Mr. Shivaji M. Jadhav,Adv.
11278/2001:

Mr. S.V. Deshpande,Adv.

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

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Leave granted.

The civil appeals are allowed.

No order as to costs.

(T.I. Rajput)
Court Master

(Shelly Sengupta)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. 5679 of 2001@@
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(Arising out of S.L.P. (C) No.2022 of 2001)

Neeta Kantilal Nagda ...Appellant (s)

Versus~

State of Maharashtra & Ors.Respondent (s)

With Civil Appeal No. 5680 of 2001@@
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(Arising out of S.L.P. (C) No. 11278 of 2001)

O R D E R@@
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Leave granted.

The notice on Special Leave Petition (C) No.2022 of 2001 stated that the matter might be disposed of at this stage by setting aside the order under challenge and restoring the writ petition to the file of the High Court to be heard and disposed of on merits.

It now appears that Respondent No.4 to that special leave petition has also filed a special leave petition (No.11278 of 2001) against the identical order in its writ petition.

Having heard learned counsel, we are of the view that the orders summarily rejecting both writ petitions should be ...2/-

- 2 -

set aside and the writ petitions restored to the file of the High Court to be heard and disposed of on merits. We refrain from saying any more so that the court may consider each writ petition on its own merits.

Accordingly, the civil appeals are allowed. The orders under challenge are set aside and the writ petitions (Nos.5815 of 2000 and 6289 of 2000) are restored to the file of the High Court at Bombay to be heard and disposed of on merits.

No order as to costs.

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.....J.
(S.P. Bharucha)@@
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.....J.
(Y.K. Sabharwal)@@

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.....J.
(Ashok Bhan)@@
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New Delhi,
August 24, 2001.