

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

CIVIL APPEAL NO(s). 9586 OF 2003

DIRECTOR GENERAL, ICAR & ANR.

Appellant (s)

VERSUS

SURESH MALIK

Respondent(s)

(With appln(s) for impleadment and office report)

WITH Civil Appeal NO. 9587 of 2003(With office report)

Date: 26/11/2009 These Appeals were called on for hearing today.

CORAM :

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

For Appellant(s) Mr. Amarender Sharan, Sr. Adv.
Mr. Neeraj Dutt Gaur, Adv.
Dr. I.B Gaur,Adv.

For Respondent(s) Mr. Sudama Ojha,Adv.
Mr. Anurag Kumar, Adv.
Dr. Maya Rao,Adv.

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

Both the impugned judgments and orders are set
aside and the writ petitions are remanded to the High
Court for fresh disposal after giving an opportunity of
hearing to the parties and giving reasons.

Since, we are remanding the matter to the High
Court, no orders on the application for impleadment in
C.A. No. 9586/2003.

Appeals allowed. No order as to the costs.

(Ajay Kr. Jain)
Court Master

(Indu Satija)
Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9586 OF 2003

Director General, ICAR & Anr.

.... Appellants

Versus

Suresh Malik

.... Respondent

WITH C.A. No. 9587/2003

O R D E R

Heard learned counsel for the parties.

Both these appeals have been filed against the

impugned judgments and orders dated 6.9.2002 of the Division Bench of the High Court of Gauhati whereby the two writ petitions filed by the appellants herein have been dismissed.

A perusal of the impugned judgments and orders shows that the writ petitions have been dismissed without assigning any reasons.

It is well settled that a writ petition cannot be dismissed by the High Court without giving reasons. For this reason alone, we set aside both the impugned judgments and orders dated 6.9.2002 and allow these appeals and remand the writ petitions to the High Court for fresh disposal after giving an opportunity of hearing to the parties and giving reasons.

Since, we are remanding the matter to the High Court, no orders are passed on the application for impleadment in C.A. No. 9586/2003.

Appeals allowed. No order as to the costs.

.....J.

(MARKANDEY KATJU)

.....J.

NEW DELHI

(R.M. LODHA)

NOVEMBER 26, 2009