

ITEM NO.54

COURT NO.9

SECTION IVA

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)...../2006

(CC 848/2006)

(From the judgement and order dated 25/07/1996, 27/5/1999,18.8.1999 and 27.6.2000 in MP No. 85/1985,

MCC No.504/1997,MCC No.579/1999 & MCC No. 402/2000 of The HIGH COURT OF M.P AT JABALPUR)

PREM CHANDRA CHATURVEID

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH & ORS.

Respondent(s)

(With office report)

Date: 03/07/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s)

Mr. Dinesh Kumar Garg,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

The petitioner filed LPA No.232/2000 before the High Court

on 25.07.2000. The said LPA was rejected by the High Court as not

maintainable by order dt.07.09.2005 in view of the law laid down

by this Court in Jamshed N.Guzdar vs.State of Maharashtra, [(2005)

2 SCC 591]. The petitioner now seeks permission to withdraw this

petition with liberty to move the High Court for restoration of

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LPA which was dismissed by the High Court as not maintainable. It

is now submitted that the President of India has now promulgated

an Act, namely, the Madhya Pradesh Uchcha Nyayalaya (Khand

Nyaypeeth Ko Appeal) Adhinyam, 2005 which deemed to have come

into force on 01.07.1981. By the said Act, the Madhya Pradesh

Uchcha Nyayalaya (Letters Patent Appeal Samapti) Adhinyam, 1981

(No.29 of 1981) was repealed. In view of M.P.Act No.14 of 2006,

liberty is given to the petitioner to approach the High Court for

restoration of LPA and the High Court is requested to restore the

same on its original number and dispose of the same on merits and

in accordance with law. The Special Leave is accordingly disposed

of.

(Satish K. Yadav)

Court Master

(Phoolan Wati Arora)

Court Master