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C.A.No. 3056 OF 1999

ITEM No.108

Court No.6

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No. 3056 of 1999

Union of India

Appellant

VERSUS

Rishal Singh

Respondent

(with Office Report)

Date : 21/09/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE B.N.SRIKRISHNA

For Appellant (s)

Mr. H.L. Agrawal, Sr. Adv.
Mr. S. Wasim A. Qadri, Adv.
Mrs. Anil Katiya, Adv.
Ms. Sushma Suri, Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

The appeal is allowed in terms of the signed order.

Jasvir
Court Master

[Shelly Sen Gupta]

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3056 OF 1999

Union of India

..... Appellant

Versus

Rishal Singh Respondent

O R D E R

Despite service of notice, neither the respondent is present, nor represented. The learned counsel for the appellant i.e. Union of India submitted that the similar matters i.e. C.A.No. 4405/1997 and other connected appeals were disposed of by this Court setting aside the order of the trial court and restoring the order of the reference court i.e. court of learned Additional District Judge. They further submitted that this appeal involving same points based on similar facts may be conveniently disposed of in terms of the judgment of the court above-referred. Accepting this submission of the learned counsel for the appellant i.e. Union of India, we set aside the impugned judgment and restore the order of the Additional District Judge. The appeal is allowed accordingly. No costs.

[Shivaraj V. Patil]J

[B.N.Srikrishna]J

New Delhi,
September 21, 2004