

SLP(C)No. 5214 OF 2001

ITEM No.206

Court No. 1

SECTION IVB
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Civil) No.5214/2001

(From the judgement and order dated 05/10/2000 in CWP 13645/2000
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

MOHINDER KAUR

Petitioner (s)

VERSUS

STATE OF PUNJAB & ANR.

Respondent (s)

(With Appln(s). for exemption from filing O.T. and with prayer for
interim relief)
(For Final Disposal)

Date : 29/11/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s) Mr. Neeraj Kumar Jain,Adv.
Mr. Aditya Kumar Choudhary,Adv.
Mr. Bharat Singh,Adv.
Mr. Ugra Shankar Pd.,Adv.

For Respondent (s) Mr. Lokesh Kumar,Adv.
Mr. Rajeev Sharma,Adv.

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

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Exemption allowed.

The civil appeal is 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. 8177 of 2001@@
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(Arising out of S.L.P. (C) No. 5214 of 2001)

Mohinder Kaur ...Appellant (s)

Versus~

State of Punjab & Anr.Respondent (s)

O R D E R@@
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Leave granted.

The notice on the special leave petition 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.

Having heard learned counsel, we are of the view that the writ petition, which we have perused, raises an issue that requires the consideration of the High Court and that, therefore, the High Court should hear it on merits. This does not mean that we are expressing any view on the merits of the case on either side.

The civil appeal is allowed. The order under appeal is ...2/-

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set aside. The writ Petition (C.W.P. No. 13645 of 2000) is restored to the file of the High Court of Punjab and Haryana to be heard and disposed of on merits.

No order as to costs.

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.....CJI.@@
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.....J.@@
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(Shivaraj V. Patil)@@
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.....J.@@
AA

(Arijit Pasayat)@@

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New Delhi,
November 29, 2001.