

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.4966 OF 2013
(Arising out of SLP(C)No.14204 OF 2012)

CHANDRAPAL & ORS.

.....APPELLANTS

VERSUS

STATE OF U.P.TR.SEC.& ORS.

.....RESPONDENTS

O R D E R

Leave granted.

This appeal is directed against order dated 20.10.2011 passed by the Division Bench of the Allahabad High Court summarily dismissing the writ petition filed by the appellants against notification dated 28.12.2006 issued under Section 117(6) of the U.P.Zamindari Abolition and Land Reforms Act, 1951.

We have heard Shri Pallav Shishodia, learned senior counsel appearing for the appellants and perused the record.

In our considered view, the order under challenge is liable to be set aside only on the ground that the High Court has not considered any of the grounds raised by the appellants for challenging notification dated 28.12.2006.

For the reason aforesaid, the appeal is allowed, the order under challenge is set aside and the matter is remitted to the High Court for fresh disposal of the writ petition on merits.

M/s Shiv Nadar Foundation, which has filed I.A.No.4 of 2013 is given liberty to file similar application before the High Court which shall be disposed of after giving opportunity to the appellants to contest the same.

.....J.
(G.S.SINGHVI)

.....J.
(V. GOPALA GOWDA)

NEW DELHI;
JULY 1, 2013.

ITEM NO.42

COURT NO.3

SECTION XI

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(s).14204/2012

(From the judgement and order dated 20/10/2011 in WP No.60570/2011 of The
HIGH COURT OF JUDICATURE AT ALLAHABAD)

CHANDRAPAL & ORS.

Petitioner(s)

VERSUS

STATE OF U.P.TR.SEC.& ORS.

Respondent(s)

(With prayer for interim relief and office report)

With

I.A.No.4(Appln.for impleadment)

Date: 01/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s)

Mr.Pallav Shisodia, Sr.Adv.

Mr.Atul B.Dakh, Adv.

Mr.Nawab Singh Bhati, Adv.

Dr. Kailash Chand, A.O.R.

For Respondent(s)

Mr.A.Mariarputham, Sr.Adv.

Ms.Aruna Mathur, Adv.

Ms.Anjali Dayal, Adv.

Ms.Movita, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

As a sequel to disposal of the appeal, I.A.No.4 is also
disposed of.

(Satish K.Yadav)
Court Master

(Usha Sharma)
Court Master

(Signed order is placed on the file)