

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). 2470-2477 OF 2001

B.N. PATEL (DEAD) THROUG LRs.

Appellant (s)

VERSUS

STATE OF GUJARAT

Respondent(s)

(With office report)

Date: 01/05/2007 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA
HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Appellant(s)

Ms. Bina Gupta,Adv.

Mr. Ramesh Singh, Adv.

Ms. Shweta Verma, Adv.

For Respondent(s)

Mr. Yashank Adhyaru, Sr.Adv.
Ms. Hemantika Wahi,Adv.
Ms. Sangeeta Singh, Adv.

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

The order of the High Court is set aside. The a
ppeals are

restored on the file of the High Court and are remanded back to the High

Court for a fresh decision in accordance with law after heari
ng the

appellant.

The appeals are disposed of in terms of the signe
d order.

Liberty is granted to move the High Court for disposal of t
he appeal

expeditiously.

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.2470-2477 OF 2001

APPELLANT

B.N. PATEL(DEAD) THOROUGH LRS.

... APP

VERSUS

RESPONDENTS

STATE OF GUJARAT

... RES

O R D E R

The challenge in this appeal is to the orders dated 04.02.1995

and 21.11.2000 allowing the appeals and rejecting the Misc Civil

Applications by setting aside the award passed by the trial court

Admittedly, the award was converted into decree by the Civil Judge which

has been set aside by the High Court. It is also admitted that the acts that the

appellant failed to appear before the High Court when the impugned order

was passed.

Having regard to this fact, we are of the view that t

he ends of

justice would meet if the case is remanded back to the High Court for a

The fresh decision in accordance with law after hearing the appellant.

order of the High Court is set aside. The appeals are restored on the file of

a fresh the High Court and are remanded back to the High Court for

decision in accordance with law after hearing the appellant.

The appeals are disposed of accordingly. Liberty is granted to

move the High Court for disposal of the appeal expeditiously.

.....J.

(H.K. SEMA)

.....J.

(V.S. SIRPURKAR)

NEW DELHI,

MAY 01, 2007.