

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). 4200-4201 OF 2004

STATE OF U.P. & ANR.

Appellant (s)

VERSUS

RAM BACHAN SINGH

Respondent(s)

(With prayer for interim relief)

Date: 20/07/2005 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Appellant(s)

Mr. Dinesh Dwivedi, Sr.Adv.

Ms. Niranjana Singh,Adv.

For Respondent(s)

Mr. P.H. Parekh, Adv. (A.C.)

Respondent-In-Person

UPON hearing counsel the Court made the following

O R D E R

The appeals are dismissed, in terms of the signed order.

(N. Annapurna)

Court Master

(V.P. Tyagi)

Court Master

(Signed order is placed on the file.)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.4200-4201 OF 2004

State of Uttar Pradesh & Anr.

...Appellant(s)

Versus

Ram Bachan Singh
)

...Respondent(s)

O R D E R

The respondent, who is present in Court along with Mr.P.H.Parekh, learned

amicus curiae appointed by us, says he is about 103 years old. In terms of the

impugned judgment, respondent donated 19 acres of land to Government for the

purpose of setting up a degree college and had also expressed willingness to donate a

sum of Rupees Ten Lakhs from which scholarships may be awarded to deserving

meritorious and needy students. He seems to be an old freedom fighter and genuinely

involved in philanthropic activities. The writ petition filed by the respondent in the

High Court was allowed in terms of the judgment dated 23rd July, 2001 and the

Principal Secretary of Higher Education was directed to personally look into the

matter and take appropriate steps for building up a degree college by utilising the land

and for utilisation of Rupees Ten lakhs for the purpose of scholarships. It is difficult

to comprehend what led the Government to file a review petition. Be that as it may,

the review petition was also dismissed in terms of the order dated 13th November,

2002. The said order records that "the petitioner has agreed to execute deed of gift in

favour of the State Government and hand over possession within one month."

Directions were also issued for investing Rupees Ten lakhs in a nationalised bank so as

to use it for the purposes of scholarships. With these directions, the review petition

was dismissed. Still not satisfied, these appeals were filed by the State challenging the

judgment dismissing the writ petition and the order on review petition.

On our request, Mr.Parekh, learned counsel, has readily agreed to assist the

court on behalf of the respondent since he is appearing in person. It is submitted that

the sum of Rupees Ten Lakhs has been kept in separate fixed deposit in the Punjab

and National Bank for being used for this project. We have perused the record and

find no illegality in the impugned judgment. Mr.Parekh states that after being asked to

assist the Court as amicus curiae, he had talked to the Chief Minister of the State on

telephone and the Chief Minister has assured that the State would be too happy to go

ahead with the project. This seems to be the right course.

Under these circumstances, while dismissing the appeals, we hope that all requisite steps for construction of the college would be taken without delay and attempts made so that the building may come up and college starts working during the lifetime of the respondent. We also place on record our appreciation for the assistance rendered by Mr.Parekh.

.....J.

(Y.K. SABHARWAL)

.....J.

(B.N. SRIKRISHNA)

New Delhi,
July 20, 2005.