

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4659 OF 2006  
(Arising out of SLP(C) No.3439/2006)

UTTARANCHAL PARIVAHAN NIGAM

....APPELLANT(S)

VERSUS

SAYARA BANO & ORS.

....RESPONDENT(S)

O R D E R

Leave granted.

We have heard learned counsel appearing on behalf of both sides and perused the impugned order passed by the High Court of Allahabad dt.29.11.2005. The order is non-speaking. We have, therefore, no hesitation to set aside the said order and remit the matter to the High Court for afresh disposal in accordance with law and after giving notice to the respondent concerned.

While issuing notice this Court has directed the appellant to deposit the amount awarded by Special A.D.J.(M.A.C.T.) within a period of two weeks and that the deposited amount shall not, however, be disbursed until further orders. Learned

counsel for the appellant states that the said direction dt.05.05.2006 has been complied

with. However, the learned counsel for the respondent-claimant states that the entire amount has already been deposited with the Special A.D.J.(M.A.C.T.) on 17.02.2006

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itself and that half of the amount has already been withdrawn by the respondent-

claimant on 01.05.2006 and that the balance amount has been deposited in FDR Nos.I

764241, I 764242, I 764243 and I 764244 in the names of minor children of the deceased.

The Zerox copies of the said FDRs have also been placed before us which also form part of the record.

This amount now in deposit will not be withdrawn till the disposal of the first

appeal. Since the matter is pending for a very long time before one forum or the other,

we request the High Court to dispose of the same within six months from today.

The appeal is disposed of accordingly.

No costs.

.....J.

( Dr.AR.LAKSHMANAN )

.....J.

( TARUN CHATTERJEE )

NEW DELHI;

NOVEMBER 3, 2006.

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).3439/2006

(From the judgement and order dated 29/11/2005 in FA No. 2813/2005 of The  
HIGH COURT OF JUDICATURE AT ALLAHABAD)

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UTTARANCHAL PARIVAHAN NIGAM

Petitioner(s)

VERSUS

SAYARA BANO & ORS.

Respondent(s)

(With prayer for interim relief and office report )

Date: 03/11/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s)

Ms. Sangeeta Kumar, Adv.

Mr.Vinay Kumar, Adv.

Mr.Ashwani Garg, Adv.

For Respondent(s)

Mr.N.M.Popli, Adv.

Mrs.B.Sunita Rao, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order.

No costs.

( Satish K. Yadav )

Court Master

( Phoolan Wati Arora )

Court Master

( Signed order is placed on the file )