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SLP(C)No. 4180 OF 2001

ITEM No.34

Court No. 3

SECTION XI
A/N MATTER

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.4180/2001

(From the judgement and order dated 17/01/2001 in CMA 1/01 in
CMWP NO. 46072/2000 of The HIGH COURT OF UTTARANCHAL)

PRADEEP WALIA

Petitioner (s)

VERSUS

STATE OF UTTRANCHAL AND ORS.

Respondent (s)

(With prayer for interim relief)

Date : 10/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE N. SANTOSH HEGDE

For Petitioner (s) Mr. M.L. Verma, Sr. Adv.
Mr. Mukesh Prasad, Adv.
Mr. Joseph Pookkatt, Adv.
Mr. Prashant Kumar, Adv.

For Respondent (s) Mr. Dinesh Dwivedi, Sr. Adv.
Mr. Ajay K. Agrawal, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....J

.SP2

The appeal is allowed.

.SP1

Kalyani. (S.L. GOYAL)@@
AA
COURT MASTER @@
A AA

(Signed Order is placed on the file.)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2001@@
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(Arising out of S.L.P.(C) No. 4180 of 2001)

.....L.....I.....T.....T.....T.....T.....T.....J

Pradeep Walia Appellant

Versus

The State of Uttranchal & Ors. Respondents

O R D E R@@
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.SP2

It is not in dispute that during the winter vacation the Single Judge of the High Court dismissed the writ petition even without notice to the petitioner therein. Whatever be the merits of the case, the procedure so adopted was clearly unwarranted. We, therefore, allow this appeal, set aside the impuged order and direct the High Court to decide Writ Petition No. 46072/2000 as expeditiously as possible.

.SP1

.....J
(B.N. KIRPAL)

.....J
(N. SANTOSH HEGDE)

New Delhi,
August 10, 2001.