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SLP(C)No. 7494-7495 OF 2003  
ITEM No.43

Court No. 1

SECTION XVII  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.7494-7495/2003

(From the judgement and order dated 25/11/2002 in LPA 1059/2000 and  
CWJC 5483/2001 of The HIGH COURT OF PATNA)

STATE OF BIHAR AND ORS.

Petitioner (s)

VERSUS

BIHAR RAJYA ZILA PARISHAD AND ORS.

Respondent (s)

(With prayer for interim relief)

With  
SLP(C)No.8020 of 2003  
(With appln. for urging addl.grounds and prayer for interim relief)

Date : 16/02/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE DR. JUSTICE AR. LAKSHMANAN  
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner (s)  
in SLP 7494-95 and Mr. Rakesh Dwivedi, Sr.Adv.  
Res.Nos.1-4 in SLP Mr. Saket Singh, Adv.  
8020/2003 Mr. B.B. Singh, Adv.

For Respondent (s)  
in SLP 8020 and res. Mr. P.P. Rao, Sr.Adv.  
in SLPs 7494-95/2003 Mr. Akhilesh Kumar Pandey, Adv.  
Mr. Vinod Shankar Tiwary, Adv.  
Mr. Ashok Kumar Pandey, Adv.  
Mr. Sumanth A., Adv.  
Ms. Mahalakshmi Pawani, Adv.

in SLP 8020 Mr. K.K. Gupta, Adv.

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

Leave granted.

The appeals are allowed. No costs.

[ Alka Dudeja ] [ Janki Bhatia ]  
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 1090-1091 OF 2004  
(Arising out of S.L.P. [C] Nos. 7494-7495 of 2003)

State of Bihar and Ors....Appellant (s)

Versus

Bihar Rajya Zila Parishad and Ors. ... Respondent(s)

With

CIVIL APPEAL NO. 1092 OF 2004  
(Arising out of S.L.P.[C] No. 8020 of 2003)

O R D E R

Leave granted.

We have heard Shri Rakesh Dwivedi and Shri P.P. Rao, learned senior counsel and perused the record. Both the learned counsel stated that these orders deserve to be set aside and the appeals be remitted to the High Court for fresh disposal.

We, accordingly, set aside the impugned order and remit the matters to the High Court to decide the same in accordance with law.

The appeals are, accordingly, allowed. No costs.

.....CJI.

.....J.  
(Dr. AR. Lakshmanan)

.....J.  
(S.H. KAPADIA)

New Delhi,  
February 16, 2004.