



None appeared for the petitioner.

The special leave petition is dismissed for non-prosecution.

[Madhu Bala] [Savita Sainani]
Sr.PA Court Master
(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 1597 OF 2005

KULDEEP SINGH & ORS. ....APPELLANTS

VERSUS

FINANCIAL COMMISSIONER, DELHI & ORS. ....RESPONDENTS

O R D E R

Delay in filing substitution application is condoned.
I.A. for substitution to bring on record the L.Rs of
the deceased Respondent Nos. 7 & 74 is allowed.
No orders on I.A. for impleadment.
Heard all the parties concerned.

In view of the present order to be passed hereunder,
there is no need to refer all the factual matrix. The learned
Single Judge while disposing of the writ petition on
31.07.2003 quashed the order dated 31.08.2000 passed by the
Financial Commissioner mainly on the ground that the same was
passed without giving notice to the parties interested and
without following the principal of natural justice. However,
after saying so, the learned Single Judge has not issued
appropriate direction and remitted the same to the Financial
Commissioner to pass fresh orders as observed in the ultimate
paragraph. Unfortunately, the same was confirmed by the
Division Bench. In view of the above infirmity, we remit the
matter to the Financial Commissioner to decide the issue
afresh under Section 42 of the East Punjab Holdings
(Consolidation and Prevention of Fragmentation) Act, 1948
and pass appropriate orders after affording opportunity to
all the parties concerned within a period of six months from
the date of receipt of copy of this order.

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We have not expressed anything on the merits of the
claim of the parties.

The Financial Commissioner is directed to pass orders
as observed above uninfluenced by any of the observation made
by the learned Single Judge and the Division Bench of the
High Court.

The appeal is disposed of accordingly.

.....J.
[P. SATHASIVAM]