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C.A.No. 5053 OF 1999

ITEM No.104

Court No. 1

SECTION XV

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

Civil Appeal No. 5053 of 1999

State of Rajasthan and Ors.

Appellant (s)

VERSUS

Sarasamma

Respondent (s)

(With prayer for interim relief)

Date : 01-04-2004 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE S.H. KAPADIA

For Appellant (s)Mr. Aruneshwar Gupta, Addl. Adv.Genl.
Mr. Jog Singh, Adv.
Mr. Amarjit Singh Bedi, Adv.

For Respondent (s)Mr. Narottam Vyas, Adv.
Ms. Deep Shikha Bharati, Adv.
Mr. B.D. Sharma, Adv.

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

The appeal is allowed. There shall be no order as to 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 NO. 5053 OF 1999

State of Rajasthan and Ors.

... Appellant (s)

Versus

Sarasamma ... Respondent(s)

O R D E R

This Court on 15th July, 1999, while issuing notice, passed the following order:

"Issue notice confined to the question as to why the matter should not be remanded to the High Court to dispose of the LPA filed by the petitioner on merits after condoning the delay in filing the LPA."

We have heard counsel for the parties.

We are satisfied that the appellants have made out sufficient cause for condonation of delay. Accordingly, the delay is condoned. We, therefore, set aside the order and judgment under challenge and remit the matter to the High Court to decide the appeal on merits. The civil appeal is, accordingly, allowed. There shall be no order as to costs. Since the matter is pending for a long time, the High Court may decide the matter at an early date.

.....CJI.

.....J.
(S.B. Sinha)

.....J.
(S.H. Kapadia)

New Delhi,
April 01, 2004.