

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5578 OF 2014
(Arising out of SLP) No. 11706 of 2013)

DEEPAK KUMAR

APPELLANT

VERSUS

THE STATE OF BIHAR & ANR.

RESPONDENTS

O R D E R

Leave granted.

This appeal has been preferred by the appellant against the order dated 9th November, 2012 passed by the Division Bench of the High Court of Judicature at Patna in LPA No. 1798 of 2012 which reads as follows:

"We have heard learned counsel for the appellant and perused the judgment of the learned Single Judge. We fully agree with the judgment of the learned Single Judge. The appeal being devoid of merit is dismissed."

On the bare perusal of the impugned order, we find that it is a non-speaking and ground as taken by the appellant has not been noticed nor discussed. For the reason aforesaid, we set aside the impugned order dated 9th November, 2012 in LPA No. 1798 of 2012 and remit the case to the High Court at Patna for its decision on merits.

The appeal is allowed.

.....J.
(SUDHANSU JYOTI MUKHOPADHAYA)

.....J.
(RANJAN GOGOI)

NEW DELHI;
MAY 09, 2014

ITEM NO.65

COURT NO.7

SECTION XV

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).11706/2013
(From the judgement and order dated 09/11/2012 in LPA No.1798/2012 of The HIGH COURT OF PATNA)

DEEPAK KUMAR

Petitioner(s)

VERSUS

THE STATE OF BIHAR & ANR.

Respondent(s)

(With prayer for interim relief and office report)

Date: 09/05/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr. V. Shekhar, Sr. Adv.
Mr. Sachin Das, Adv.
Mr. Vishal Arun, Adv.

For Respondent(s) Mr. Akhil Anand, Adv.
Mr. Samir Ali Khan , Adv

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

Leave granted.

The appeal is allowed in terms of the Signed
Order.

[RAJNI MUKHI]
SR. P.A.

[USHA SHARMA]
COURT MASTER

(Signed Order is placed on the file)