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SLP(C)No. 11359 OF 2000

ITEM No.51

Court No. 2

SECTION IVB
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.11359/2000

(From the judgement and order dated 06/09/1999 in RSA 3335/98
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

ASHOK KUMAR SHARMA AND ANR.

Petitioner (s)

VERSUS

PUNJAB STATE COOP.SUP.& MKT.FED.LTD.&ANR

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for filing pleadings as per order dated 13/04/2000
passed by this Court)

Date : 19/03/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA
HON'BLE MR. JUSTICE DORAISWAMY RAJU
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Petitioner (s) Mr. Nidhesh Gupta,Adv.
Mr. Naveen Singh,Adv.
Ms. Naresh Bakshi,Adv.

For Respondent (s) Mr. Rajesh Mahale,Adv.

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

.....L.....I..T.....T.....T.....T.....T.....T.....T.....T.....J
Leave granted.

The civil appeal is allowed.

No order as to costs.

(T.I. Rajput)
Court Master

(Shelly Sengupta)
Court Master

(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No.2142 of 2001@@
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(Arising out of S.L.P. (C) No.11359 of 2000)

Ashok Kumar Sharma & Anr. ...Appellant (s)

Versus~

Punjab State Coop. Sup. and Mkt.
Fed. Ltd. & Anr.Respondent (s)

O R D E R@@
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Leave granted.

The order under challenge dismisses a second appeal in limine for the reason that it was found to have no merit. Having heard learned counsel, we are of the view that the order under challenge should be set aside and the second appeal (R.S.A. No.3335 of 1998) should be restored to the file of the High Court of Punjab and Haryana to be heard and disposed of on merits. For such hearing, every available contention shall be open to both sides. We refrain from saying any more because we do not desire to prejudice the case on either side.

The civil appeal is allowed accordingly.

No order as to costs.

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.....J.
(S.P. Bharucha)@@
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.....J.
(Doraiswamy Raju)@@
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.....J.
(Y.K. Sabharwal)@@
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New Delhi,
March 19, 2001.