

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

RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 545 OF 2005

STATE (DELHI ADMINISTRATION)

Appellant (s)

VERSUS

OM PRAKASH

Respondent(s)

(office report for direction)

Date: 13/11/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Appellant(s)

Mr. A. Sharan, ASG.

Mr. D.S. Mahra, Adv.

For Respondent(s)

Mr. Ajay Kumar Gupta, Adv.

Mr. Ashok Kumar, Adv.

Mr. Sarves Mitter Gupta, Adv.

for

M/S Mitter & Mitter Co., Adv.

UPON hearing counsel the Court made the following

O R D E R

The appeal is disposed of in terms of the paragraph No.28 of
the judgment of this Court in the case of State (Delhi Administration) vs.

Dharampal, (2001) 10 SCC 372.

(PAWAN KUMAR)

(ANAND SINGH)

COURT MASTER

COURT MASTER

(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.545 OF 2005

STATE (DELHI ADMINISTRATION)

...

APPELLANT

VERSUS

OM PRAKASH

...

RESPONDENT

O R D E R

This appeal is squarely covered by the judgment of this Court

in the case of State (Delhi Administration) vs. Dharampal, (2001) 10 SCC

372 in terms of paragraph 28, reads:-

'In any view of the matter, the impugned order cannot be sustained. The orders of the Sessions Judge dismissing the appeals also cannot be sustained. Therefore, the impugned judgment dated 20-11-2000 as well as the

orders of the Sessions Judge in the abovementioned three cases are set aside. The appeals which had been filed by the respondents in the Court of Additional District and Sessions Judge are hereby restored to the file of the Additional District and Sessions Judge, New Delhi. They shall now be disposed of on merits, in accordance with law."

We dispose of this appeal in terms of the paragraph No.28 of

the above-said judgment of this Court.

.....J.

(H.K. SEMA)

.....J.

(P.K. BALASUBRAMANYAN)

NEW DELHI,

NOVEMBER 13, 2006.