

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2347 OF 2011

(ARISING OUT OF SPECIAL LEAVE PETITION(C)NO.5024 OF 2011)

TIKAULA SUGAR MILLS LTD.

APPELLANT

VERSUS

STATE OF U.P.& ORS.

RESPONDENTS

O R D E R

Leave granted.

We have heard learned counsel for the parties.

The impugned judgment emanates from the final judgment and order dated 24th January, 2011 passed by the learned Single Judge of High Court of Judicature at Allahabad, Lucknow Bench, Lucknow, whereby the order dated 06.01.2011 of the Special Secretary, Government of Uttar Pradesh was set aside and the matter was remitted to the Chief Secretary, Government of Uttar Pradesh. The learned Single Judge has not given any reasons for setting aside the order and remitting the matter.

In our considered view, the learned Single Judge should not have set aside the order and remitted it without assigning any reasons. In this view of the matter, we are constrained to set aside the impugned judgment dated 24.01.2011 and remit the matter to the learned Single Judge of the High Court. We request the learned Single Judge to hear the parties and give detailed reasons in the judgment.

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Since there is urgency in this matter, therefore, we request the High Court to decide the matter as expeditiously as possible, in any event, within one month from the date of communication of this order.

The parties are directed to appear before the learned Single Judge on 14.03.2011. It is needless to mention that this order is confined to the appellant herein only.

The appeal is disposed of accordingly, leaving the parties to bear their own costs.

.....J.
(DALVEER BHANDARI)

.....J.
(DEEPAK VERMA)

NEW DELHI;
7TH MARCH, 2011
ITEM NO.23

COURT NO.4

SECTION XI

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).5024/2011

(From the judgement and order dated 24/01/2011 in WP No.
214/1911 of The HIGH COURT OF JUDICATURE OF ALLAHABAD AT
LUCKNOW)

TIKAULA SUGAR MILLS LTD.

Petitioner(s)

VERSUS

STATE OF U.P.& ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T.,permission to
place addl. documents on record and prayer for interim relief)

Date: 07/03/2011 This Petition was called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr.Rakesh Dwivedi, Sr.Adv.
Mr. K.K. Mohan,Adv.

For Respondent(s) Mr.Jayant Bhushan, Sr.Adv.
Mr. Manish K.Bishnoi,Adv.

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

Leave granted.

We have heard learned counsel for the parties.

The appeal is disposed of, leaving the parties to
bear their own costs, in terms of the signed order.

(G.V.Ramana)
Court Master

(Neeru Bala Vij)
Court Master

(Signed order is placed on the file)