

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 1010 OF 2007

JOINT SECRETARY, TR. MINISTRY OF FINANCE

Appellant (s)

VERSUS

M/S OMEGA INDUSTRIAL ESTATE TR.CHMN. & ORS.

Respondent(s)

[Prayer for interim relief and with office report]

Date: 05/01/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE V.S. SIRPURKAR

For Appellant(s) Mr. Mohan Parasaran,ASG

Mr. K. Radhakrishna,Sr.Adv.

Ms. Shweta Garg,Adv.

Mr. Ashish Goipal Garg,Adv.

Mr. B. Krishna Prasad, Adv.

For Respondent(s)

Mr. A.M. Singhvi,Sr.Adv.

Mr. Huzefa Ahmadi,Adv.

Mr. Ejaz Maqbool, Adv.

Mr. Vikash Singh,Adv.

Ms. Taruna Singh,Adv.

Mr. Abhijit Sinha,Adv.

UPON hearing counsel the Court made the following
ORDER

The impugned judgment is set aside and the matter is
remitted to the High Court for consideration of the matter afresh on
merit and the appeal is disposed of in terms of the signed order.

(A.S. BISHT)
COURT MASTER

(PUSHAP LATA BHARDWAJ)
COURT MASTER

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1010 OF 2007

JOINT SECRETARY THROUGH MINISTRY OF
FINANCE

... APPELLANT(S)

:VERSUS:

M/S. OMEGA INDUSTRIAL ESTATE THROUGH
CHAIRMAN AND ORS.

... RESPONDENT(S)

ORDER

Having heard the learned counsel for the parties, we are of the opinion that interest of justice would be subserved if the impugned judgment is set aside and the matter is remitted to the High Court for consideration of the matter afresh on merit. It is directed accordingly.

We make it clear that the High Court while disposing of the matter shall not be influenced by any observation made in the impugned judgment.

The High Court is requested to dispose the matter as expeditiously as possible and preferably within a period of three months from the date of receipt of a copy of this order.

The appeal is disposed of with the aforementioned observation.

.....J
(S.B. SINHA)

.....J
(V.S. SIRPURKAR)

NEW DELHI,
JANUARY 5, 2009.