

ITEM NO.112

COURT NO.6

SECTION XI

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

CIVIL APPEAL NO(s). 4608-4616 OF 2004

STATE OF U.P. & ANR

Appellant (s)

VERSUS

SONE LAL & ORS

Respondent(s)

(With office report)

Date: 23/09/2010 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s) Mr. T.N. Singh, Adv.
Mr. Rajeev K. Dubey, Adv.
Mr. Kamendra Mishra, Adv.

For Respondent(s) Ms. Mridula Ray Bharadwaj, Adv. (Not present)

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

Heard learned counsel for the appellants.

None appeared for respondent No.1(i) in CA No.4613
of 2004, though the name of the counsel is shown in the
cause list and rest of the respondents are not represented,
though served with notice.

The Appeals are allowed in terms of the signed
order. No costs.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master

[signed order is placed on the file]
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 4608-4616 OF 2004

State of U.P. & Another

..Appellants

versus

Sone Lal & Others

..Respondents

O R D E R

Heard learned counsel for the appellants.

None appeared for respondent No.1(i) in Civil Appeal

No. 4613 of 2004, though the name of the counsel is shown in the cause list and rest of the respondents are not represented, though served with notice.

This Appeal has been filed against the impugned judgment of the Allahabad High Court, Lucknow Bench, Lucknow dated 04th February, 1998.

The facts have been set out in the impugned judgment and hence we are not repeating the same here.

On the facts of the case, we are of the opinion that several contentions raised by the State Government have not been properly considered by the High Court.

Hence, we allow these appeals, set aside the impugned judgment of the High Court and remand the matter to the High Court for a fresh decision in accordance with law, expeditiously. No costs.

All contentions shall remain open to both the parties.

.....J.
[MARKANDEY KATJU]

NEW DELHI;J.
SEPTEMBER 23, 2010 [T.S. THAKUR]