

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).9190/2006

(From the judgement and order dated 21/11/2005 in CWP No. 18132/2005 of the HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

G.P. SHARMA

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

Date: 29/10/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner(s) Mr. G.S. Chatterjee,Adv.

For Respondent(s) Mr. Kumar Kartikay,Adv.
Mr. T.V. George,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

Heard the learned counsel for the parties at length.

The impugned judgment is set aside, the matter is remitted to the High Court for consideration of the writ petition afresh on merit and the appeal is disposed

ed
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. 5053 OF 2007
[Arising out of SLP(C) No.9190/2006]

G.P. SHARMA
)

... APPELLANT(S)

:VERSUS:

STATE OF HARYANA AND ORS.

... RESPONDENT(S)

S)

ORDER

Leave granted.

The appellant in support of its case relies upon a decision of this Court in S.C Jain vs. State of Haryana and Anr., [1985 (4) SCC 645]. In that view of the matter, we are of the opinion that the High Court should not have dismissed the writ petition filed by the appellant herein, only on the premise that the writ petition raised some disputed questions of fact. The impugned judgment is, therefore, set aside and the matter is remitted to the High Court for consideration of the writ petition afresh on merit. The appeal is disposed of with the aforementioned direction.

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

.....J
(H.S. BEDI)

NEW DELHI,
OCTOBER 29, 2007.