

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).12840/2011
(From the judgment and order dated 24/11/2010 in WP No.4359/2002 of the
HIGH COURT OF JUDICATURE AT ALLAHABAD, BENCH AT LUCKNOW)

PRADESHIYA INDUSTRIAL AND INVESTMENT
CORPN. OF U.P. LTD. & ANR.

Petitioner(s)

VERSUS

LAKE HERITAGE PVT. LTD.& ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 31/01/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr. Arvind Varma, Sr. Adv.
Mr. Ajay Sharma, Adv.
Ms. Damini Hajela, Adv.
Ms. Neelam Sharma, Adv.
Mr. Rajeev Sharma, Adv.

For Respondent(s) Mr. K.B. Upadhyay, Adv.
Mr. S.N. Tripathi, Adv.
Mr. Chandra Prakash Pandey, Adv.

Mr. S.R. Setia, Adv.

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

Leave granted.
The appeal is disposed of in terms of the signed order.

| (VINOD LAKHINA) | | (INDU BALA KAPUR) |
| COURT MASTER | | COURT MASTER |

(SIGNED ORDER IS PLACED ON THE FILE)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1796 OF 2014
[Arising out of Special Leave Petition (Civil) No.12840 of 2011]

PRADESHIYA INDUSTRIAL AND INVESTMENT
CORPN. OF U.P. LTD. & ANR.

...APPELLANTS

VERSUS

ORDER

Leave granted.

We have heard learned counsel for the parties at length.

A perusal of the order passed by the High Court shows that it is a non-speaking order. The appellants had clearly raised issues which needed the close attention of the High Court. The controversy between the parties as to whether the amount could have been legally forfeited had to be decided in accordance with law and supported by reasons.

In that view of the matter, the appeal is allowed; the judgment and order of the High Court is set aside. The matter is remanded back to the High Court to hear the writ petition on merits and in accordance with law.

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The appeal is disposed of in the above terms. No costs.

.....,J.
(SURINDER SINGH NIJJAR)

.....,J.
(A.K. SIKRI)

NEW DELHI
JANUARY 31, 2014