

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.2742/2000 @@
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State of Uttar Pradesh

Appellant (s)

VERSUS

Prem Lal Patel & Anr.
(With Office Report)

Respondent(s)

WITH SLP(C) 13723/2000 (prayer for I.R. & O.R.)

Date : 31.10.2001 This appeal was called on for hearing today.@@
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CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MRS JUSTICE RUMA PAL
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Appellant (s) Mr.Subodh Markandeya,Sr.Adv.
Mrs. Chitra Markandeya,Adv.
Ms. Feroza Bano,Adv.

Mr. Prashant Chaudhary,Adv.

For Respondent (s) Mr. Vishwajit Singh,Adv. (N.P.)
Ms. Sandhya Goswami,Adv.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....J.

.SP2

The appeal stands disposed of.
In view of the order in Civil Appeal, the SLP stands
disposed of.

.SP1

(Y.P.Dhamija) (Suneet Bala Sharma)
Court Master Court Master

Signed order is placed on the file.

.PAPA

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2742/2000@@
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State of Uttar Pradesh ...Appellant

Vs.

Prem Lal Patel & Anr. ...Respondents

WITH SLP(C) 13723/2000@@
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O R D E R@@
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.....L.....I.....T.....T.....T.....T.....T.....J.
.SP2

The State of Uttar Pradesh is in appeal against the judgment of Allahabad High Court dated 3.4.2000. Under the impugned judgment the Ordinance X of 2000, by means of which the provisions of U.P. Panchayati Raj Act were amended, was declared unconstitutional and ultra vires. While the matter was pending in this Court, elections have already been held pursuant to the direction of this Court, and in the meantime, the Ordinance itself has been replaced by the Act of the Legislature. The validity of the said Act has not been assailed before any forum nor has there been any declaration to that effect. In such circumstances, we do not think it necessary for us to examine the correctness of the impugned judgment, and in our view the appeal has become infructuous.

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The appeal stands disposed of accordingly.
The questions of law raised here remain open.
The SLP is disposed of in view of the order passed in the Civil Appeal.

.SP1
.....J.
(G.B. PATTANAİK)

.....J.
(RUMA PAL)

New Delhi,J.

October 31, 2001

(ARIJIT PASAYAT)