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SLP(C)No. 9320-9321 OF 2001

ITEM No.48

Court No. 3

SECTION IVB
A/N MATTER

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.9320-9321/2001

(From the judgement and order dated 12/12/2000 & 12/5/2000 in CM
7537/00 & RSA 1871/00 of The HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH)

MUNICIPAL COMMITTEE, JALLALABAD

Petitioner (s)

VERSUS

BIMLA DEVI & ORS.

Respondent (s)

(With Appln(s). for c/delay in filing SLP)
(With prayer for interim relief)

Date : 11/03/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mr. BS Mor, Adv.
Mr. SM Hooda, Adv.
for Mr. Mahinder Singh Dahiya, Adv.

For Respondent (s) Mr. S.B. Upadhyay, Adv.

Mr. N.S. Bisht, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
Heard counsel for the parties for few minutes.

Delay condoned.

Leave granted.

The appeals are allowed. There shall be no order
as to costs.

.SP1

(Alka Dudeja)
Court Master

(S. Krishnan)
Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 2027-2028 OF 2002@@
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(Arising out of S.L.P.(C) Nos.9320-9321/2001)

MUNICIPAL COMMITTEE, JALLALABAD ... Appellant (s)

VERSUS

BIMLA DEVI & ORS. ... Respondent (s)

O R D E R@@
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Leave granted.

We are of the view that the High Court has not dealt with the appeal in the manner it required treatment. On this short ground, we are of the view that the order impugned deserves to be set aside. We, accordingly, set aside the order under challenge and remit the matters to the High Court for deciding the Second Appeal in terms of Section 100 of the Code of Civil Procedure.

The parties have undertaken to appear before the High Court. In that case, no notice be sent to the parties in appeal.

The appeals are allowed. There shall be no order as to costs.

.....L.....I.....T.....T..T....T.....T.....T.....J
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.....J.
(V.N. KHARE)

.....J.
(ASHOK BHAN)

NEW DELHI
MARCH 11, 2002.