

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). 1070 OF 2002

JAMMU DEVELOPMENT AUTHORITY
Appellant (s)

VERSUS

AMRISH KAPOOR & ANR.
Respondent(s)

(With office report)

Date: 22/02/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE A.K. MATHUR

For Appellant(s)

Mr. Ashok K. Mahajan,Adv.

For Respondent(s) Mr. D.C. Raina, Sr. Adv.

Mr. G.M. Kawoosa, Adv.
Mr. Ashok Mathur,Adv.

RR-Ex-Parte

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

The appeal stands allowed in terms of the signed order. No costs.

(J.S.Rawat)

(Kanwal Sin

gh)

Court Master

Court

Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1070 OF 2002

Jammu Development Authority

Appellant (s)

Versus

Amrish Kapoor & Anr.

Respondent (s)

O R D E R

Counsel for the parties have agreed that the judgment of the Single Judge as well as that of the Division Bench of the High Court be set aside and the case be remitted back to the Single Judge for a fresh decision in accordance with law, after affording due opportunity of being heard to the parties.

Accordingly, the order of the Single Judge and the Division Bench of the High Court are set aside and the case is remitted back to the High Court for a fresh decision. Single Judge shall dispose of the matter in accordance with law, after affording due opportunity of being heard to the parties on both sides. Hon'ble Chief Justice of the High Court shall be at liberty to assign the case to a Single Judge as per Roster.

The appeal stands allowed accordingly with no order as to costs.

.....J
(ASHOK BHAN)

New Delhi;
J.
February 22, 2005.

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(A.K. MATHUR)