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C.A.No. 426 OF 2000  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.426 OF 2000

H.S. NANJAPPA APPELLANT

VERSUS

THE ASSTT. COMMNR., SAKELESHPUR & ANR. RESPONDENTS

O R D E R

Having heard learned counsel for the parties, we are satisfied that the impugned order passed by the Division Bench of the High Court, remitting the case to the Tribunal, need not be disturbed in the light of the facts and circumstances of the case.

Learned counsel for the appellant contended that certain observations made by the learned Single Judge in his order may come in the way of Land Tribunal deciding the case afresh on merits. Learned counsel for the respondents, while supporting the impugned judgment, submitted that all the contentions of the respondents may be left open to be urged before the Land Tribunal.  
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.2.  
Under the circumstances, we dispose of this appeal upholding the order of remand, making it clear that the Land Tribunal shall dispose of the matter afresh uninfluenced by the observations made by the learned Single Judge in his order. All the contentions of the parties are left open to be urged before the Land Tribunal.

No costs.

.....J.  
[ SHIVARAJ V. PATIL ]

.....J.  
New Delhi, [ B.N. SRIKRISHNA ]  
December 02, 2004.  
ITEM NO.107 COURT NO.6 SECTION IVA

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. 426 OF 2000

H.S. NANJAPPA Appellant (s)

VERSUS

THE ASSTT.COMMNR.,SAKELESHPUR & ANR Respondent(s)  
(With office report )

Date: 02/12/2004 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL  
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Appellant(s) Mr. G.V. Chandrashekhar, Adv.  
for Mr. P.P. Singh, Adv.

For Respondent(s) Mr. Anil K. Mishra, Adv.  
Mr. Sanjay R. Hegde, Adv.  
Mr. A. Rohen Singh, Adv.

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

Heard learned counsel for the parties for 15 minutes.  
The appeal is disposed of with no costs in terms of the signed order.

Sarita (Shelly Sengupta)  
Court Master

(Signed order is placed on the file)