

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2017
(Arising out of SLP (C) No.19355 of 2012)

YASMEEN FATIMA (DEAD) & ORS.

PETITIONER(S)

VERSUS

C/M OF MADARSA ISHATUL ULOOM & ORS.

RESPONDENT(S)

O R D E R

Leave granted.

In the course of hearing this appeal we have been apprised that the appellant No.1 is dead. Learned counsel for the appellants would submit that there are no reasoning reasoning assigned by the High Court while disposing of the writ petition and we think he is right on that score. In view of the aforesaid, the matter is heard on merits.

We have heard learned counsel for the parties. We find that the High Court in dealing with the writ petition that pertained to jurisdiction of the District Collector has cryptically observed that the District Collector has no jurisdiction to pass the order in law without justification. The High Court was under legal obligation to assign some reasoning while disposing of the writ petition.

In view of the aforesaid, we allow this appeal and set aside the impugned order with a request to the High Court to dispose of the writ petition as expeditiously as possible preferably within six months from the passing of this order.

There shall be no order as to costs.

.....J.
[DIPAK MISRA]

.....J.
[R. BANUMATHI]

NEW DELHI,
JANUARY 10, 2017.

ITEM NO.8

COURT NO.2

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 19355/2012
(Arising out of impugned final judgment and order dated 05/08/2011
in WP No. 7757/2011 passed by the High Court of Judicature at
Allahabad, Lucknow Bench)

YASMEEN FATIMA (DEAD) & ORS.

Petitioner(s)

VERSUS

C/M OF MADARSA ISHATUL ULOOM & ORS.
(with interim relief and office report)

Respondent(s)

Date : 10/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s)

Mr. E.C. Vidya Sagar, Adv.
Ms. Reena Yadav, Adv.

Mr. Senthil Jagadeesan, Adv.
Mr. Govind Manoharan, Adv.
Ms. Shruti Iyer, Adv.

For Respondent(s)

Mr. Sunil Kumar Jain, Adv.
Mr. Kaushik Choudhury, Adv.
Mr. Punya Garg, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed order.

(Ashok Raj Singh)
Court Master

(H.S. Parasher)
Court Master

(Signed Order is placed in the file)