

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).2245 OF 2018
(Arising out of SLP (C) No(s). 13963/2012)

STATE OF M.P.

APPELLANT(S)

VERSUS

SANDESH SINGH TOMAR & ORS.

RESPONDENT(S)

WITH

SLP(C) No. 18872/2012

SLP(C) No. 32692/2014

O R D E R

C.A. No. 2245 of 2018 @ SLP(C) No.13963/2012

Leave granted.

We have heard learned counsel for the parties and perused the record.

The first appeal of the appellant has been dismissed on the ground of delay of 23 days, which order has been affirmed by the High Court.

Having regard to the facts and circumstances of the present case, without expressing any opinion on merits, we are of the view that 23 days delay should have been condoned.

Accordingly, the said delay stands condoned and the matter is remitted to the first appellate Court for fresh decision on merits in accordance with law.

All contentions of the parties are left open to be gone into by the concerned Court. The parties may appear before the above Court for further proceedings on 19th March, 2018.

The appeal is disposed of in above terms.

SLP(C)No.18872/2012 & SLP(C) No. 32692/2014:

In view of order passed in C.A. No.2245 of 2018 @ SLP (C) No.13963/2012, no further order is necessary and these petitions stand disposed of.

.....J.
[ADARSH KUMAR GOEL]

.....J.
[UDAY UMESH LALIT]

NEW DELHI
16th February, 2018

ITEM NO.42

COURT NO.11

SECTION IV-A

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). 13963/2012

(Arising out of impugned final judgment and order dated 08-04-2011 in CSA No. 143/2008 passed by the High Court of M.P. at Gwalior)

STATE OF M.P.

Petitioner(s)

VERSUS

SANDESH SINGH TOMAR & ORS.

Respondent(s)

WITH

SLP(C) No. 18872/2012 (IV-A)

SLP(C) No. 32692/2014 (IV-A)

Date : 16-02-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Purushindra Kaurav, Sr. Adv.
Ms. Mishra Saurabh, Adv.
Mr. Arjun Garg, AOR

Ms. Dharitry Phookan, AOR

Ms. Arti Singh, AOR

For Respondent(s) Mr. Vikas Singh, Sr. Adv.
Mr. Vivek K. Tankha, Sr. Adv.
Mr. Prashant Sivarajan, Adv.
Ms. Pooja Singh, Adv.
Ms. Arti Singh, AOR

Mr. Nitin Gaur, Adv.
Mr. Ranjit Kumar, Adv.

Mr. Rajender Pd. Saxena, Adv.

Ms. Mukti Chowdhary, AOR
Mr. Sushrut Jindal, Adv.

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

C.A. No. 2245 of 2018 @ SLP(C) No.13963/2012

Leave granted.

The appeal is disposed of in terms of the signed order.

Pending applications, if any, are also stand disposed of.

SLP(C)No.18872/2012 & SLP(C) No. 32692/2014:

In view of order passed in C.A. No.2245 of 2018 @ SLP (C) No.13963/2012, no further order is necessary and these petitions stand disposed of.

Pending applications, if any, are also stand disposed of.

(SWETA DHYANI)
SENIOR PERSONAL ASSISTANT

(Signed order is placed on the file)

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER