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SLP(C)No. 11699 OF 2003
ITEM No.37

Court No.11

SECTION IVA
A/N MATTER

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 (Civil) No.11699/2003

(From the judgement and order dated 06/10/2001 in RP 1087/01 in M.F.A.No.5065 of 2000 of The HIGH COURT OF JUDICATURE AT KARNATAKA AT BANGALORE)

LINGANAGOUDA

Petitioner (s)

VERSUS

SPL. LAND ACQUISITION OFFICER

Respondent (s)

(With Appln(s). for c/delay in filing SLP)
(With Office Report)

Date : 23/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Petitioner (s)
Mr. Shantha Kumar V. Mahale, Adv.
Mr. Rajesh Mahale, Adv.

Mr. Sanjay R. Hegde, Adv.
Mr. Anil K. Misra, Adv.
Mr. Mallikarjuna Reddy, Adv.

For Respondent (s)

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

The appeal is allowed in terms of the signed order.

(Satish K. Yadav) (Kanwal Singh)
Court Master Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 2649 OF 2004
(Arising out of SLP(C.) No.11699 OF 2003)

LINGANAGOUDA

.....APPELLANT (S)

VERSUS

SPL.LAND ACQUISITION OFFICER
PONDENT (S)

.....RES

O R D E R

Delay condoned.

Leave granted.

Heard the parties.

By the impugned order, Review Petition filed on behalf of the appellant has been rejected on the ground that there was delay of 24 days in filing the case. In the facts and circumstances of the case, we are of the view that it is a fit case in which the High Court should have condoned the delay in filing the Review Petition and decided the same on merits.

Accordingly the appeal is allowed, the impugned order is set aside, delay in filing the Review Petition is condoned and the High Court is directed to dispose of the same on merits.

.....J.

(B.N. AGRAWAL)

.....J.

(Dr. AR. LAKSHMANAN)

NEW DELHI;
April 23, 2004.