

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). 2288 OF 2000

ISHER KOUR (DEAD) BY LRS. & ORS.

Appellant (s)

VERSUS

CUSTODIAN GENERAL, JAMMU & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T., revocation, permission to file additional documents and office report)

Date: 12/04/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Appellant(s)

Mr. R.S. Lambat, Adv.

For Respondent(s)

Mr. Sanjay Parikh, Adv.

UPON hearing counsel the Court made the following

O R D E R

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

(Neena Verma)

(Vijay

Aggarwal)

Court Master

Court Ma

ster

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2288 OF 2000

Isher Kaur (Dead) by L.Rs. & Ors.

...Appellants

Versus

Custodian General, Jammu & Ors.

...Respondents

O R D E R

Heard learned counsel for the parties.

I.A. No.6 of 2006 has been filed seeking permission to file additional

documents. It has been submitted that original respondent No.2 - Hans Raj has

expired in November, 2005. It is submitted by learned counsel for the appellant

that a Notification relating to property No.706 was issued which has not been

considered by the High Court. Mr. Sanjay Parikh, learned counsel appearing for

the respondents, on the other hand, submitted that there was no Notification

covering the property in dispute at the relevant point of time. These are matters which can be effectively examined in detail by the High Court. In the circumstances, we remit the matter to the High Court for a fresh hearing by a learned Single Judge. The parties are at liberty to place on record such documents which, according to them, are relevant for the purpose of adjudication. Steps shall be taken before the High Court to bring on record the legal representatives of Hans Raj. We make it clear that in view of the aforesaid circumstances, we have not expressed any opinion on the respective stand of the parties.

Since, the matter is pending since long, we request the High Court to dispose of the matter as expeditiously as practicable, preferably within four months from the date of receipt of our order.

The appeal is, accordingly, disposed of.

.....J.

( ARIJIT PASA

YAT )

.....

.....J.

( TARUN CHATTE

RJEE )

New Delhi,  
April 12, 2006.

