

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).7732/2004

(From the judgement and order dated 11/02/2004 in CMWP No. 5495/2004 of the HIGH COURT OF JUDICATURE AT ALLAHABAD)

GRAM SABHA, VILLAGE HALWANA, U.P.

Petitioner(s)

VERSUS

BRIJ PAL SINGH & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 12/05/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s)

Mr. Dinesh Kumar Garg,Adv.

For Respondent(s)

Dr. Indra Pratap Singh, Adv.

Mr. Samir Ali Khan, Adv.

Mr. Pramod Dayal,Adv.

Ms. S. Janani, Adv.

UPON hearing counsel the Court made the following

O R D E R

Despite our order dated 7th March, 2005 to serve respondent Nos.4 to

through concerned S.H.O., service report has not been received. Learned counsel for the parties submit that being proforma respondents, service on these respondents be dispensed with at this stage. Ordered accordingly.

Leave granted.

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

(N. Annapurna)
Court Master

(V.P. Tyagi)
Court Master

(Signed order is placed on the file.)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2005
(Arising out S.L.P.(C) No.7732/2004)

Gram Sabha, Village Halwana, U.P.

...Appellant(s)

Versus

Brij Pal Singh & Ors.

...Respondent(s)

O R D E R

Despite our order dated 7th March, 2005 to serve respondent Nos.4 t

through concerned S.H.O., service report has not been received. Learned counsel for the parties submit that being proforma respondents, service on these respondents be dispensed with at this stage. Ordered accordingly.

Leave granted.

The main grievance of the appellant, who was respondent in the writ petition before the High Court, is that the High Court allowed the writ petition and set aside the order of suspension of the licence of the writ petitioner without any notice to it. That fact has not been disputed. Very fairly, learned counsel for respondents state that the impugned order be set aside on this short ground alone and Writ Petition No.5495 of 2004 be remitted to the High Court for its decision.

In this view, we set aside the impugned order dated 11th February, 2004 and remit Writ Petition No.5495 of 2004 for fresh decision of the High Court. The High Court is requested to decide the matter expeditiously. The order of stay granted by this Court shall continue till further orders by the High Court. It will be open to the High Court to vary or vacate the said order.

The parties represented before us are directed to appear before the Registrar General of the High Court on 11th July, 2005.

The appeal is disposed of accordingly.

.....J.

(Y.K. SABHARWAL)

.....J.

(P.P. NAOLEKAR)

New Delhi,

May 12, 2005.