

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1296 OF 2013
(Arising out of S.L.P.(C) No. 10523/2011)

NEW OKHLA INDUSL. DEVT. AUTH.

... APPELLANT(S)

VS.

MOHD. SHAMIM & ORS.

... RESPONDENT(S)

O R D E R

Leave granted.

We have perused the impugned judgment. We are unable to decipher what weighed with the High Court to pass the order impugned. It does not show any application of mind.

On this ground alone, we set aside the impugned order and remit the matter back to the High Court for reconsideration in accordance with law.

We make it clear that we have not expressed any opinion in regard to the merit of the case.

The appeal is disposed of accordingly.

.....J.
(CHANDRAMAULI KR. PRASAD)

.....J.
(FAKKIR MOHAMED IBRAHIM KALIFULLA)

New Delhi; the
February 11, 2013

ITEM NO.52

COURT NO.12

SECTION XI

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).10523/2011

(From the judgement and order dated 08/09/2010 in CMWP No.37127/2008 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

NEW OKHLA INDUSL.DEVT.AUTH.

Petitioner(s)

VERSUS

MOHD.SHAMIM & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 11/02/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Mr. Ravindra Kumar, Adv.

For Respondent(s)

Mr. Bimal Roy Jad, Adv.
Mr. N.G. Dev, Adv.
Mr. B.K. Khurana, Adv.

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

Leave granted.

The appeal stands disposed of remitting the matter back to the High Court for reconsideration in accordance with law, in terms of the signed order.

| (S.K. Rakheja)
| Court Master

| |(Indu Satija)
| | Court Master

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(Signed order is placed on the file.)