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SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A.No.. 2 & 3
IN
CIVIL APPEAL NO(s). 2039 OF 2010

STATE OF KERALA & ORS. Appellant (s)

VERSUS

PRAKASAN Respondent(s)

O R D E R

I.A. No. 3 of 2012

Delay in filing the restoration application is condoned.

I.A.No. 2 of 2012

This is an application for restoration of the Civil Appeal, which stood dismissed as the appellants had failed to file the statement of case.

Having considered the reasons stated in the application for restoration as also the fact that the appeal was not dismissed on merits, but only for non-filing of Statement of Case, and also the fact that the appellants would be deprived of consideration of their case on merits if the appeal is not restored, it is considered just and appropriate to allow this application for restoration.

Accordingly, the application for restoration is allowed. Civil Appeal No. 2039 of 2010 is, therefore, restored to its original file.

Counsel for the appellant is directed to file statement of case within four weeks.

Thereafter, the appeal be listed before the Regular Bench for consideration on merits.

.....J.
[GYAN SUDHA MISRA]

NEW DELHI
NOVEMBER 05, 2012

ITEM NO.15 COURT NO.4 SECTION XIA

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

I.A.No.. 2 & 3
IN
CIVIL APPEAL NO(s). 2039 OF 2010

STATE OF KERALA & ORS. Appellant (s)

VERSUS

PRAKASAN Respondent(s)

(With appln(s) for restoration, c/delay and office report)

Date: 05/11/2012 This Appeal was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE GYAN SUDHA MISRA
(In Chambers)

For Appellant(s) Mr. G. Prakash, Adv.

For Respondent(s)

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

I.A. Nos. 2 and 3 are allowed in terms of the signed order.

| (Jayant Kumar Arora)
| Sr. P.A.

| | (Indu Bala Kapur)
| | Court Master

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(Signed order is placed on the file)