

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.7105 OF 1999

A.P. NAYAR & ORS.

Appellant(s)

VERSUS

REHA.MIN.EMP. COOP. HOUSE BLDG. SOC. LTD. & ORS.

Respondent(s)

Date: 01/03/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE A.K.MATHUR

For Appellant(s)

Mr. R.F. Nariman, Sr. Adv.

Mr. D.K. Singh, Rajesh Pratap Singh,

Mr. Varagaya Vardhan, Mr. H.S.Parihar &

Mr. Kuldeep Parihar, Advs.

For Respondent(s)

Mr. M.L. Lahoty, Mr. Paban K. Sharma,

Mr. Himanshu Shekhar & Miss Poli Kataki, Advs.

UPON hearing counsel the Court made the following

O R D E R

According to the counsel for the appellants, appellants have been non-suited by the High Court on the plea raised by the respondents that the land in question, i.e. Khasra No. 167 measuring 2 bighas in village Begampur, Tehsil & District Delhi, had vested in the Central Government in view of the notification issued under the Re-Settlement of Displaced Persons (Land Acquisition) Ordinance, 1948, which was later on converted into an Act as the Re-settlement of Displaced Persons (Land Acquisition) Act, 1948. The Union of India which is stated to have acquired the land as well as the Custodian of Evacuee Properties,

who were made parties and shown as respondent Nos. 6 & 2 respectively in this appeal, have not put in their appearance in spite of service. Their representation would be necessary to adjudicate the matter in a just and proper manner.

Accordingly, fresh notice be issued to respondent Nos. 2 & 6 returnable after six weeks. Since respondent Nos. 2 & 6 are the departments of Government of India, counsel for the appellants is directed to serve a copy of the paper book on the learned Attorney General for India as well.

To be listed after six weeks.

(Parveen Kr. Chawla)

Court Master

(Kanwal Singh)

Court Master