

ITEM NO.103

COURT NO.4

SECTION IV

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). 6373 OF 2001

ARVINDER SINGH BAINS

Appellant (s)

VERSUS

STATE OF PUNJAB & ORS.

Respondent(s)

(With office report)

Date: 18/05/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

(VACATION BENCH)

For Appellant(s)

Mr.L.N.Rao, Sr.Adv.

Mr.Rishi Malhotra, Adv.

Mr. Prem Malhotra,Adv.

For Respondent(s)

Mrs.Kawaljit Kochar, Adv.

Mr.D.Jha, Adv.

Mr. Arun K. Sinha,Adv.

For RR-3

Ms.Kanchan Kaur Dhodi, Adv.

For RR-5

Mr.M.N.Krishnmani, Sr.Adv.

Mr.Rajesh K.Sharma, Adv.

Ms.Shalu Sharma, Adv.

For RR-6 and 7

Mr.Ashok Panda, Sr.Adv.

Mr.S.K.Pabbi, Adv.

Ms.Shikha Roy, Adv.

Ms. S. Janani,Adv.

UPON hearing counsel the Court made the following

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O R D E R

I.A.No.3 in C.A.No.6373/2001

I.A.No.3 was filed by the appellant herein to implead Khushi Ram, PCS, (Executive

Branch) and Gurpal Singh Bhatti, PCS, (Executive Branch) as party respondents in Civil Appeal

No.6373 of 2001. This Court by Order dt.20.01.2006 dismissed the said I.A. No.3 as withdrawn

. Now fresh I.A. has been filed by proposed parties (Respondent Nos.6 and 7) to implead them viz

. Khushi Ram and Gurpal Singh Bhatti as respondent Nos.6 and 7 in the above civil appeal. The

above Civil Appeal No.6373/2001 was filed against the judgment and order dt.12.12.2000 passed

by the High Court of Punjab and Haryana at Chandigarh in LPA No.1705/2000. The said appeal is

pending disposal and now listed before us for hearing. Khushi Ram and Gurpal Singh Bhatti were

parties as respondent Nos. 3 and 4 in the Civil Writ Petition No.16516/1995 which was filed by the

appellant in the High Court. The written submission filed by the present applicants (respondent

Nos.6 and 7) as respondent Nos.3 and 4 in the Writ Petition is also annexed as Annexure P-5 with

this appeal. Since proposed respondent Nos.6 and 7 were parties to the writ proceedings, in our

opinion, they are also necessary parties to the present Civil Appeal.

This Court on 20.01.2006 dismissed the said application as withdrawn without noticing

the fact that they were parties to the writ proceedings. We, therefore, implead them as respondent

Nos.6 and 7 in this appeal. In this view of the matter, the Order passed on 20.01.2006 in I.A. No.3 is

recalled and the fresh IA is allowed accordingly. Registry to number the fresh IA.

Heard counsel for the parties at length.

Arguments concluded.

Judgment reserved.

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Liberty is granted to file written submissions.

(Satish K. Yadav)

(Pardeep Kumar)

(Phoolan Wati Arora)

Court Master

Court Master

Court Master