

\206

SLP(C)No. 10509 OF 2003
ITEM No.29

Court No. 8

SECTION XIV
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Civil) No.10509/2003

(From the judgement and order dated 22/01/2003 in CWP 565/2003
of The HIGH COURT OF DELHI AT N. DELHI)

UNION OF INDIA & ANR.

Petitioner (s)

VERSUS

KIRAN PAL SINGH

Respondent (s)

(With prayer for interim relief)(O.R.)

Date : 26/03/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s) Mr. Raju Ramachandran,ASG
Mr. Hemant Sharma,Adv.

Ms. Sushma Suri,Adv.

For Respondent (s) Mr. B.B. Raval,Adv.
Ms. S. Janani,Adv.

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

Heard the learned counsel for the parties for 10 minutes.

Leave granted.

The appeal is disposed of.

(Y.P. Dhamija) (Veera Verma)

AR-cum-PS Court Master

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2004
(arising out of SLP(C) No. 10509/2003)

U.O.I. & Anr.

...

APPELLANT (S)

VERSUS

Kiran Pal Singh

...

RESPONDENT (S)

O R D E R

Leave granted.

Heard both sides.

The High Court by the impugned judgment dismissed the Writ Petition, by placing reliance on the decision of this Court in 2000 (1) SCC 644 Roop Lal Vs. Lt. Governor, Delhi and without giving any other reason. It is submitted by the learned ASG appearing for the Union of India that at High Court should have considered whether said decision was applicable at all to the present case. It was submitted that certain disputed question of law were also required to be considered. We set aside the judgment of the High Court and remit the matter to the High Court for disposal on merits after reasonable opportunity being given to both the parties at an early date.

The appeal is disposed of.

.....J

(K.G. BALAKRISHNAN)

.....J.

(B.N. SRIKRISHNA)

New Delhi,

March 26, 2004.