

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1505 OF 2016
(Arising out of SLP(Civil)No.720 of 2009)

BALIHAR SINGH & ANR.

... APPELLANT(S)

VS.

BHAGAT SINGH (D) THR. LRS. & ORS.

... RESPONDENT(S)

WITH

CIVIL APPEAL NO.1504 OF 2016
(Arising out of SLP(Civil)No.7103 of 2006)

J U D G M E N T

Anil R.Dave, J.

1. Heard the learned counsel for the appearing parties.

2. Delay condoned.

3. Leave granted.

4. Upon hearing the learned counsel for the parties, we find that the appellant-original plaintiff was not heard and therefore, we are of the view that the matter requires re-consideration by the High Court.

5. In the circumstances, we set aside the impugned judgment and remit these matters to the High Court so that the High Court, after hearing the concerned parties, can decide these matters afresh in accordance with law.

Signature Not Verified

Digitally signed by
ANITA MALHOTRA
Date: 2016.02.27
13:03:39 IST
Reason:

1

6. The parties shall appear before the High Court on 28th March, 2016 so that the date of further hearing can be fixed.

7. Interim relief, granted by this court, shall continue till 31st March, 2016.

8. The High Court shall also take appropriate decision after hearing the concerned parties, on the prayer for interim relief.

9. In view of the above, the civil appeals are disposed of as allowed. No order as to costs. Pending applications, if any, stand disposed of.

.....J.
[ANIL R. DAVE]

.....J.
[SHIVA KIRTI SINGH]

.....J.
[ADARSH KUMAR GOEL]

New Delhi;
16th February, 2016.

2

ITEM NO.5 COURT NO.2 SECTION IVB CORRECTED
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 (C) No(s). 720/2009

(Arising out of impugned final judgment and order dated 11/04/2008 in RSA No. 1178/1990 passed by the High Court Of Punjab & Haryana At Chandigarh)

BALIHAR SINGH & ANR. Petitioner(s)

VERSUS

BHAGAT SINGH (D) THR. LRS. & ORS. Respondent(s)

WITH
SLP(C) No. 7103/2006
(With Interim Relief and Office Report)

Date : 16/02/2016 These petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s) Mr. Nidhesh Gupta, Sr. Adv.
Mr. Tarun Gupta, Adv.
Mr. Puneet, Adv.

For Ms. S. Janani, Adv.

For Respondent(s) Ms. Rekha Palli, Sr. Adv.
Mr. A.V. Palli, Adv.
Mr. Nikhil Palli, Adv.
Mr. Deepak Goel, Adv.

Mr. R. D. Upadhyay, Adv.

Mr. V.K. Jhanji, Sr. Adv.
Ms. Jyoti Mendiratta, Adv.

3

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

Delay condoned.

Leave granted.

The appeals are disposed of as allowed in terms of
the non-reportable judgment.

(Anita Malhotra) (Jaswinder Kaur)
Court Master Court Master
(Non-reportable judgment is placed on the file.)

4

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5

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(Anita Malhotra)
Court Master

(Jaswinder Kaur)
Court Master

(Non-reportable judgment is placed on the file.)

6