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SLP(C)No. 10662 OF 2001

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IN THE SUPREME COURT OF INDIA@@
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CIVIL APPELLATE JURISDICTION@@
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CIVIL APPEAL NO. OF 2001@@
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(Arising out of S.L.P.(C) No.10662/2000)

Avtar SinghAppellant(s)

versus

Union of India ...Respondent(s)

O R D E R@@
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Leave granted.

The notice on the special leave petition stated that the matter might be disposed of at this stage by an order setting aside the order under challenge and restoring the writ petition to the file of the High Court to be heard and disposed of on merits.

Having heard learned counsel, we are satisfied that that is the appropriate order to pass for the merits of the writ petition required to be examined. We make it clear that we do not express any opinion as to the merits on either side.

The civil appeal is allowed. The order under challenge is set aside. The Writ Petition (C.W.P.No.4970/2001) is restored to the file of the High Court of Punjab and Haryana to be heard and disposed of on merits.

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Pending the disposal of the writ petition, no further recovery of the pension shall be made from the appellant.
No order as to costs.

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.....CJI.@@

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.....J.@@

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(SHIVARAJ V. PATIL)@@

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.....J.@@

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(ARIJIT PASAYAT)@@

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New Delhi,@@

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December 07, 2001. @@

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ITEM No.206

Court No. 1

SECTION IVB
A/N MATTER

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 (Civil) No.10662/2001

(From the judgement and order dated 04/04/2001 in CWP 4970/01
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

AVTAR SINGH

Petitioner (s)

VERSUS

UNION OF INDIA

Respondent (s)

(With prayer for interim relief)
(For Final Disposal)

Date : 07/12/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s) Mr. Anil Mittal, Adv.
Mr. K.C. Gupta, Adv.
Mr. Dharam Bir Raj Vohra, Adv.

For Respondent (s) Mr. Mukul Rohtagi, A.S.G.
Mr. Hemant Sharma, Adv.
Ms. Sushma Suri, Adv.

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

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Leave granted.
The civil appeal is allowed.
No order as to costs.

.SP1 (N. Annapurna) (Shelly Sengupta)
Court Master Court Master

(Signed order is placed on the file.)