

ITEM NO.105

COURT NO.6

SECTION XV

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). 3413 OF 2007

STATE OF M.P.

Appellant (s)

VERSUS

MADAN & ORS.

Respondent(s)

(With appln(s) for stay)

WITH

SLP(C) NO. 16587 of 2007 (with appln.(s) for stay)

Civil Appeal NO. 2890 of 2008

(With office report)

Date: 17/03/2011 These Appeals and the SLP were called on
for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Appellant(s) Mr. S.K. Dubey, Sr. Adv.
Mr. Vikash Upadhyay, Adv.
Mr. Yogesh Tiwari, Adv.
Mr. B.S. Bhanthia, Adv. for
Ms. Vibha Datta Makhija, Adv.

For Respondent(s) Mr. Akshat Shrivastava, Adv.
Ms. Pooja Shrivastava, Adv.
Mr. P.P. Singh, Adv.

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

The Appeals and Special Leave Petition are dismissed
as withdrawn with liberty as explained in the signed order.

(Rajesh Dham)
Court Master

(Indu Satija)
Court Master

(signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 3413 OF 2007

STATE OF M.P.

Appellant (s)

VERSUS

MADAN & ORS.

Respondent(s)

WITH

SLP(C) NO. 16587 of 2007

Civil Appeal NO. 2890 of 2008

O R D E R

These Appeals and the Special Leave Petition have been filed against the impugned judgments of the High Court of Madhya Pradesh, Bench at Indore dated 16.11.2006 and 24.01.2007 passed by the learned single Judge.

Admittedly, against the impugned judgments of the learned single Judge of the High Court a writ appeal lies to the Division Bench of the High Court.

Hence, we permit the appellants/petitioner herein to withdraw these Appeals and SLP with liberty to file writ appeal before the High Court. If the writ appeal is filed within six weeks from today, the same will be entertained and decided by the High Court on merits and not dismissed on the ground of limitation only.

:1:

The Appeals and the Special Leave Petition are dismissed as withdrawn with liberty as aforesaid.

.....J.
(MARKANDEY KATJU)

.....J.
(GYAN SUDHA MISRA)

NEW DELHI;
MARCH 17, 2011.

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