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SLP(C)No. 13241 OF 2001

ITEM No.49

Court No.10

SECTION IVA  
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.13241/2001

(From the judgement and order dated 23/02/2001 in CP 176/2001 in WA No.3460/2000 of The HIGH COURT OF KARNATAKA AT BANGALORE)

S.P.R. EDUCATION TRUST AND ANR.

Petitioner (s)

VERSUS

STATE OF KARNATAKA AND ORS.

Respondent (s)

(With prayer for interim relief)

Date : 05/11/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE U.C. BANERJEE  
HON'BLE MR. JUSTICE Y.K. SABHARWAL

For Petitioner (s) Mr. G.V. Chandrashekhar, Adv.  
Mr. P.P. Singh,Adv.

For Respondent (s) Mr. K.R. Nagaraja,Adv.  
Mr. Sanjay R. Hegde,Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....J.  
.SP2

Leave granted.

The appeal is disposed of in terms of the signed order.

.SP1

(K.K. Chawla)  
Court Master

(D.D. Jindal)  
Assistant Registrar

[Signed order is placed on the file]

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.....L.....I.....T.....T.....T.....T.....T.....J.

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2001  
(ARISING OUT OF SLP (CIVIL) NO.13241 OF 2001)

S.P.R. EDUCATION TRUST AND ANR. ... APPELLANTS

VERSUS

STATE OF KARNATAKA AND ORS. ... RESPONDENTS

O R D E R@@  
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.SP2

Leave granted.

We feel it expedient that the matter ought to be dealt with on merits rather than on technicality as has been so done by the High Court in the order impugned before this Court. The impugned order is set aside. The matter is thus remanded back to the High Court for disposal on merits on payment of costs assessed at Rs.20,000/- (Rupees Twenty Thousand only). Such cost be paid within a period of four weeks from the date to the Supreme Court Legal Services Committee. The appeal is disposed of accordingly.

.SP1

.....J.  
(U.C. Banerjee)

.....J.  
(Y.K. Sabharwal)

New Delhi,  
November 5, 2001.