

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(s).14032/2003

(From the judgement and order dated 09/05/2003 in RA No. 200/2003 & CWP  
No. 11710/2001 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

SINGHARA SINGH

Petitioner(s)

VERSUS

SARDAR SINGH & ORS.

Respondent(s)

(With prayer for interim relief )

(For Final Disposal)

Date: 21/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner(s)

Mr. R.K. Jain, Sr. Adv.

Mr. Neeraj Kumar Jain, Adv.

Mr. Aditya Kumar Chaudhary, Adv

Mr. Bharat Singh, Adv.

Mr. Sanjay Singh, Adv.

Mr. Umang Shankar, Adv.

Mr. Ugra Shankar Prasad, Adv.

For Respondent(s)

Mr. R.D. Bawa, Adv.

Mr. R.K. Joshi, Adv.

Mr. P.N. Puri, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

No order as to costs. The parties are directed through their

learned counsel to appear before the High Court on 16th May,

2005.

(RAJESH DHAM)

(RADHA R. BHATIA)

COURT MASTER

COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2797 OF 2005

[arising out of SLP(C) No.14032 of 2003]

Singhara Singh

... Appellant

vs.

Sardar Singh & Ors.

... Respondents

O R D E R

Leave granted.

After hearing the learned counsel for the parties, we are satisfied that the Review Petition filed by the appellant before the High Court should have been allowed and the main Writ Petition should have heard on merits.

Accordingly, the appeal is allowed. The impugned order dated 9th May, 2003 rejecting the Review Application is set aside and in order to do complete justice between the parties and to avoid the litigation being perpetuated further, we also set aside the order dated 2nd December, 2002 passed by the High Court. In the result, the CWP No. 11710 of 2001 shall stand restored on the file of the High Court to be heard and decided afresh after hearing all the parties in the petition.

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No orders as to costs.

The parties are directed through their learned counsel to

appear before the High Court on 16th May, 2005.

.....CJI

(R.C. LAHOTI)

.....J

(G.P. MATHUR)

New Delhi;

April 21, 2005.