

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NOS.12949 - 12952/2024
[@ SLP [C] NOS.29887-29889/2013]**

SWARAN SINGH & ORS.

Appellant(s)

VERSUS

PRESCRIBED AUTHORITY & ORS.

Respondent(s)

O R D E R

**Application for discharge of the Advocate on
Record is allowed.**

Delay condoned.

Leave granted.

**Unfortunately, neither the official
respondent(s), nor the private respondent(s) brought
certain facts to the notice of the High Court. What
has been set aside in the impugned judgment(s) is the
suo motu proceedings initiated by the official**

respondent(s).

By the impugned judgment, the order dated 23.08.1980 has been restored. Certainly, the appellants have got grievance at least with respect to the setting aside of the impugned judgment(s) dated 06.12.1990 and 07.12.1990 by restoring the order dated 23.08.1980.

Considering the above, we are inclined to set aside the impugned judgment(s) with a direction to the High Court to hear the official respondent(s) on the facts which have not been placed before the High Court and the case which is being projected by the appellant(s).

Accordingly, the impugned judgments stand set aside and the matters stand remitted to the High Court for fresh consideration. We request the High Court to hear all the parties afresh and decide the matters one way or the other.

In the meantime, there shall be an order of *status quo* till the conclusion of the proceedings before the High Court.

The appeals stand allowed accordingly.

All issues are left open.

Needless to state, the parties shall not create any third party rights.

.....J.
[M.M. SUNDRESH]

.....J.
[ARAVIND KUMAR]

NEW DELHI;
NOVEMBER 20, 2024.

ITEM NO.20

COURT NO.11

SECTION XI

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). 29887-29889/2013

[Arising out of impugned final judgment and order dated 09-05-2012 in WP No. 950/1991 16-01-2013 in CMRA No. 293469/2012 16-01-2013 in CMIA No. 293473/2012 16-01-2013 in WPC No. 950/1991 passed by the High Court of Judicature at Allahabad]

SWARAN SINGH & ORS.

Petitioner(s)

VERSUS

PRESCRIBED AUTHORITY & ORS.

Respondent(s)

I A NOS. 1 & 2 OF 2013 - APPLICATIONS FOR CONDONATION OF DELAY IN FILING AND REILING OF SLP

WITH

I A NO. 157695 OF 2021-APPLICATION FOR DISCHARGE OF ADVOCATE FOR RESPONDENT NOS. 3 & 4

WITH

I A DIARY NOS. 264801 & 264802 OF 2024- APPLICATIONS FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS AND EXEMPTION FROM FILING OFFICIAL TRANSLATION

Date : 20-11-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Mr. Mohd. Irshad Hanif, AOR
 Mr. Aarif Ali, Adv.
 Mr. Mujahid Ahmad, Adv.

Mr. S.R. Singh, Sr. Adv.
 Ms. Asha Gopalan Nair, AOR
 Mr. Sushant Kumar Yadav, Adv.
 Mr. Prithvi Yadav, Adv.

For Respondent(s) Mr. Tanmaya Agarwal, AOR
 Mr. Shwetank Silakwal, Adv.
 Mr. Wrick Chatterjee, Adv.
 Mrs. Aditi Agarwal, Adv.

Mr. Prashant Chaudhary, AOR

Mr. Ajay Kumar Singh, AOR
Mr. Yatharth Singh, Adv.
Mr. Divesh Kumar, Adv.
Mr. Ayushman Singh, Adv.
Ms. Moulishree Pathak, Adv.

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

Application for discharge of the Advocate on
Record is allowed.

Delay condoned.

Leave granted.

The Court *inter alia* directed as under:

"In the meantime, there shall be an order of
status quo till the conclusion of the
proceedings before the High Court.

The appeals stand allowed accordingly."

Pending application(s), if any, shall stand disposed
of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)

[Signed order is placed on the file]