

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.3834 OF 2005.

PADMANATH SARMA

Appellant (s)

VERSUS

HITENDRA NATH GOSWAMI & ORS.

Respondent(s)

(With office report)

Date: 09/11/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Appellant(s)

Mr. Anurag Singh, Adv. for

Mr. Arvind Kumar Gupta, Adv.

For Respondent(s) Mr. Rajshekhar Rao, Adv. for

Mr. Nikhil Nayyar, Adv.

UPON hearing counsel the Court made the following

O R D E R

The Civil Appeal is dismissed with costs in terms of the signed order.

Tyagi)  
Registrar

(Subhash Chander)  
Court Master

(V.P.)  
Assistant

[Signed Order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3834 OF 2005

Padmanath Sarma

.....Appellant

Versus

Hitendra Nath Goswami & Ors.

.....Respondents

O R D E R

The challenge in this appeal is to the election held to the Legislative Assembly of Assam, voting for which took place on 10th May 2001. On dismissal of the Election Petition of the appellant, who was the defeated candidate, this appeal was filed. The elected candidate in the said election is respondent no.1. When the appeal was taken up on 22nd May 2006, it was adjourned to enable the counsel for the parties to seek clarification from their respective clients. Learned counsel for respondent no.1 states that his client contested the election to the Legislative Assembly held in May 2006 and lost the same. In this view, we find no ground to adjourn the matter, particularly when counsel for the appellant is not in a position to argue the matter.

The appeal is accordingly dismissed with costs.

.....CJI.

[Y.K. SABHARWAL]

.....J.

[C.K. THAKKER]

.....J.

[R.V. RAVEENDRAN]

New Delhi.

November 09, 2006.